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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

LISTS OF POSITIONS EXCEPTED; DEPARTMENT OF THE AIR FORCE

Under authority of § 6.1 (a) of Executive Order No. 9830 and at the request of the Secretary of the Air Force, the Commission has determined that the positions listed below should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) (46) is amended by the addition of a subdivision as follows:

§ 6.4 *Lists of positions excepted from the competitive service*—(a) *Schedule A.*

(46) *Department of the Air Force.*

(ii) One Special or Confidential Assistant to the Under Secretary of the Air Force and two to each Assistant Secretary of the Air Force.

(Sec. 6.1 (a) E. O. 9830 (Feb. 24, 1947) 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-3316; Filed, Apr. 14, 1948; 9:01 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR GRADES OF FROZEN STRAWBERRIES¹

On April 9, 1947, notice of proposed rule making was published in the FEDERAL REGISTER (12 F. R. 2332) regarding

¹ The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

the revision of the tentative United States Standards for Grades of Frozen Strawberries which had been in effect since July 1, 1944. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Frozen Strawberries are hereby promulgated under the authority contained in the Department of Agriculture Appropriation Act, 1948 (Pub. Law 266, 80th Cong., 1st Sess., approved July 30, 1947)

§ 52.653 *Frozen strawberries.* Frozen strawberries are prepared from the properly ripened fresh fruit of the strawberry plant (*Fragaria virginiana*), are stemmed, washed, and sorted; may be packed with or without packing media; and are frozen and stored at temperatures necessary for the preservation of the product.

(a) *Styles of frozen strawberries.* (1) "Whole" or "whole strawberries."

(2) "Sliced" or "sliced strawberries."

(b) *Sizes of whole strawberries.* Except with respect to "U. S. Grade A" or "U. S. Fancy" grade (not for manufacturing) the size of whole strawberries is not incorporated in the grades of the finished product since size, as such, is not a factor of quality for the purpose of these grades. When used in connection with the following sizes of whole strawberries, the term "diameter" means the greatest dimension measured at right angles to a straight line running from the stem to the apex:

(1) *Small size.* Whole strawberries that measure less than $\frac{3}{8}$ inch in diameter.

(2) *Medium size.* Whole strawberries that measure $\frac{3}{8}$ inch to 1 inch, inclusive, in diameter.

(3) *Large size.* Whole strawberries that measure more than 1 inch in diameter.

(c) *Grades of frozen strawberries (not for manufacturing)* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen strawberries that possess similar varietal characteristics; possess a bright, practically uniform, typical color; are practically free from defects; possess a good character; possess a normal flavor and odor; and score not less than 85 points when scored in accordance with the scoring system outlined in this section.

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tion. In addition to the foregoing requirements, whole strawberries of this grade may contain not more than 5 percent, by count, of whole strawberries that are small size, i. e., less than $\frac{5}{8}$ inch in diameter:

(2) "U. S. Grade B" or "U. S. Choice" is the quality of frozen strawberries that possess similar varietal characteristics; possess a reasonably bright, reasonably uniform, typical color; are reasonably free from defects; possess a reasonably good character; possess a normal flavor and odor and score not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade D" or "Substandard" is the quality of frozen strawberries that fail to meet the requirements of "U. S. Grade B" or "U. S. Choice."

(d) *Grades of frozen strawberries for manufacturing.* (1) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" is the quality of frozen strawberries that possess similar varietal characteristics; that are of any size; that possess a bright, practically uniform, typical color; that are practically free from defects for the purposes of manufacturing; that possess a good character for the purposes of manufacturing; and that possess a normal flavor and odor.

(2) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" is the quality of frozen strawberries that possess similar varietal characteristics; that are of any size; that possess a reasonably bright, reasonably uniform, typical color; that are reasonably free from defects for the purposes of manufacturing; that possess a reasonably good character for the purposes of manufacturing; and that possess a normal flavor and odor.

(3) "U. S. Grade D for Manufacturing" or "Substandard for Manufacturing" is the quality of frozen strawberries that fail to meet the requirements of "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing."

(e) *Ascertaining the score and grade for frozen strawberries (not for manufacturing)* (1) The grade of frozen strawberries is determined immediately after thawing to the extent that the units may be separated easily. The score and grade of frozen strawberries may be ascertained by considering, in addition to the requirements of the respective

grade, the following factors: Color, absence of defects, and character.

(2) The relative importance of each factor has been expressed numerically on the scale of 100. The maximum number of points that may be given for each factor is:

	Points
(i) Color	40
(ii) Absence of defects	40
(iii) Character	20
Total score	100

(3) "Normal flavor and odor" means that the strawberries are free from objectionable flavors, off flavors, and objectionable odors of any kind.

(f) *Ascertaining the score of each factor for frozen strawberries (not for manufacturing)* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, "34 to 40 points" means 34, 35, 36, 37, 38, 39, or 40 points).

(i) *Color* (i) "Well colored" means that not less than four-fifths, in the aggregate, of the surface of the whole strawberry is the red or pink color characteristics of strawberries of similar varieties, and that the surface (including cut surfaces) of the sliced strawberry is the typical color, characteristic of well-ripened strawberries of similar varieties.

(ii) Frozen strawberries that possess a bright, practically uniform, typical color may be given a score of 34 to 40 points. "Bright, practically uniform, typical color" means that the whole and sliced strawberries possess a bright and good characteristic red or pink color, reasonably free from a slightly dull, slightly grey, or slightly reddish-brown

cast; and that there may be present not more than 5 percent, by count, of the whole strawberries that are not well colored and not more than 5 percent, by weight, of the sliced strawberries that are not well colored.

(iii) If the frozen strawberries possess a reasonably bright, reasonably uniform, typical color, a score of 28 to 33 points may be given. Frozen strawberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably bright, reasonably uniform, typical color" means that the whole and sliced strawberries possess a reasonably good characteristic red or pink color that may possess a slightly dull, slightly grey, or slightly reddish-brown cast; and that there may be present not more than 10 percent, by count, of the whole strawberries that are not well colored and not more than 10 percent, by weight, of the sliced strawberries that are not well colored.

(iv) Frozen strawberries that are definitely dull or off-color or that fail to meet the requirements of subdivision (iii) of this subparagraph, may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(v) The evaluation of the score points for the factor of color may be determined from Table I of this section which indicates the score range in the respective grades and which denotes the typical color in frozen strawberries and the maximum allowance for frozen strawberries that are not well colored for the score indicated.

TABLE I—ALLOWANCES FOR COLOR

Grade	Score points	Whole and sliced (typical color)	Whole— not well colored	Sliced— not well colored
			Maximum	
			By count Percent None	By weight Percent
U. S. Grade A or U. S. Fancy.	40	Bright and good characteristic red or pink color; reasonably free from a slightly dull, slightly grey, or slightly reddish-brown cast.	$\frac{1}{2}$	$\frac{1}{2}$
	39		1	1
	38		2	2
	37		3	3
	36		4	4
U. S. Grade B or U. S. Choice.	35	Reasonably good characteristic red or pink color; may possess a slightly dull, slightly grey, or slightly reddish-brown cast.	5	5
	34		6	6
	33		7	7
	32		8	8
	31		9	9
U. S. Grade D or Substandard.	27 or less	More than the allowances permitted for 28 points.	10	10

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, caps and portions thereof, sepal-like bracts and portions thereof, stems, short stems, undeveloped strawberries, and damaged strawberries.

(i) "Harmless extraneous material" means vegetable substances such as weeds, grass, and leaves and any portions thereof that are harmless.

(ii) A "cap" means a loose or attached full cap or a portion of a cap to which at least one sepal-like bract or portion thereof is attached. A "short stem" that

is attached to a cap is considered a part of the cap. A "stem" that is attached to the cap is considered a separate defect.

(iii) A "stem" means a stem, either loose or attached, that is longer than $\frac{1}{2}$ inch.

(iv) A "short stem" means a stem that is $\frac{1}{2}$ inch or less in length and which may include the center portion of a cap to which no sepal-like bract or portion thereof is attached.

(v) An "undeveloped strawberry" means a strawberry or a portion of a strawberry that possesses a hard, seedy, or deformed end or that possesses de-

formed areas which materially affect either the appearance or the edibility of the product.

(vi) A "damaged strawberry" means a strawberry or a portion of a strawberry that is damaged by bruises or by pathological, insect, or other injury or is damaged by other means which materially affect either the appearance or the edibility of the product. Minute, insignificant injuries are not considered as damage.

(vii) "Area" means the aggregate surface covered by the material stated when such material or portions thereof are placed in a contiguous position with no intervening spaces.

(viii) Frozen strawberries that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" has the following meanings with respect to the following styles of frozen strawberries:

Whole. There may be present for each 16 ounces of net weight an area of not more than $\frac{1}{4}$ square inch comprising harmless extraneous material (such as leaves and portions thereof) caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 2 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass) and not more than 8 short stems; and there may be present not more than a total of 5 percent, by weight, of whole strawberries that are undeveloped strawberries and of whole strawberries that are damaged strawberries.

Sliced. There may be present for each 16 ounces of net weight an area of not more than $\frac{1}{4}$ square inch comprising harmless extraneous material (such as leaves and portions thereof) caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 2 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass) and not more than 8 short stems; and there may be present not more than a total of 2½ percent, by weight, of sliced strawberries that are undeveloped units of strawberries and of sliced strawberries that are damaged units of strawberries.

(ix) If the frozen strawberries are reasonably free from defects, a score of 28 to 33 points may be given. Frozen strawberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably free from defects" has the following meanings with respect to the following styles of frozen strawberries:

Whole. There may be present for each 16 ounces of net weight an area of not more than $\frac{1}{2}$ square inch comprising harmless extraneous material (such as leaves and portions thereof) caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 4 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass) and not

more than 16 short stems; and there may be present not more than a total of 10 percent, by weight, of whole strawberries that are undeveloped strawberries and of whole strawberries that are damaged strawberries.

Sliced. There may be present for each 16 ounces of net weight an area of not more than $\frac{1}{2}$ square inch comprising harmless extraneous material (such as leaves and portions thereof) caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 4 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass) and not more than 16 short

stems; and there may be present not more than a total of 5 percent, by weight, of sliced strawberries that are undeveloped units of strawberries and of sliced strawberries that are damaged units of strawberries.

(x) Frozen strawberries that fail to meet the requirements of subdivision (ix) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule)

(xi) The evaluation of the score points for the factor of absence of defects may be determined from table II of this section which indicates the maximum allowances for each class of defects for the score indicated.

TABLE II—ALLOWANCE FOR DEFECTS

Grade	Score points	Whole and sliced			Whole—undeveloped and damaged straw-berries	Sliced—undeveloped and damaged units of stray-berries
		Harmless extraneous material (leaves, etc.), caps, sepal-like bracts and portions thereof	Harmless extraneous material (weeds, grass) and stems (including stems over ½ inch)	Short stems		
		Maximum				
U. S. Grade A or U. S. Fancy.	Score points	Per 16 ounces of net weight			By weight	By weight
		Stems		Harmless material	Percent None	Percent None
		Total	Over ½ in.			
U. S. Grade A or U. S. Fancy.	40	None	None	None or None	2	None
	39	⅛ square inch	1	None or None	3	½
	38	¼ square inch	1	None or None	4	1
	37	½ square inch	1	None or 1 piece	5	1½
	36	¾ square inch	2	1 or 1 piece	6	2
	35	1 square inch	2	1 or 1 piece	7	2½
	34	1¼ square inch	2	1 or 1 piece	8	3
	33	1½ square inch	3	1 or 1 piece	10	3½
	32	1¾ square inch	3	1 or 1 piece	12	4
	31	2 square inch	3	1 or 1 piece	13	4½
U. S. Grade B or U. S. Choice.	30	2¼ square inch	4	1 or 1 piece	14	5
	29	2½ square inch	4	1 or 1 piece	15	5½
	28	2¾ square inch	4	1 or 1 piece	16	6
	27 or less			More than the allowances permitted for 23 points		

(3) **Character** The factor of character refers to the texture and degree of disintegration or the degree of wholeness as evidenced by crushed or partial strawberries and mushy strawberries.

(i) A "crushed or partial strawberry" is a strawberry that has been excessively trimmed or has become disintegrated so that the portion remaining intact is less than one-half of the apparent whole strawberry.

(ii) "Mushy strawberries" are strawberries that are so soft that they are a pulpy mass.

(iii) Frozen strawberries that possess a good character may be given a score of 17 to 20 points. "Good character" means that the strawberries are fleshy, reasonably firm, and practically intact and that:

(a) Not more than 10 percent, by weight, of whole strawberries may be crushed or partial strawberries and mushy strawberries; and

(b) Not more than 20 percent, by weight, of sliced strawberries may be mushy strawberries.

(iv) If the frozen strawberries have a reasonably good character, a score of 14 to 16 points may be given. Frozen strawberries that fall into this classifica-

tion shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably good character" means that the strawberries are reasonably fleshy, fairly firm, and reasonably intact and that:

(a) Not more than 20 percent, by weight, of whole strawberries may be crushed or partial strawberries and mushy strawberries; and

(b) Not more than 30 percent, by weight, of sliced strawberries may be mushy strawberries.

(v) Frozen strawberries that fail to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule)

(vi) The evaluation of the score points for the factor of character may be determined from Table III of this section which indicates the texture of frozen strawberries and the maximum allowances for frozen strawberries that are crushed or partial strawberries and mushy strawberries for the score indicated.

TABLE III—CHARACTER

Grade	Score points	Texture	Whole— crushed, par- tial, and mushy	Sliced— mushy
			Maximum (by weight)	
			<i>Percent</i>	<i>Percent</i>
U. S. Grade A or U. S. Fancy-----	20	Fleshy, reasonably firm, prac- tically intact.	None	5
	19		3	10
	18		6	15
	17		10	20
U. S. Grade B or U. S. Choice-----	16	Reasonably fleshy, fairly firm, reasonably intact.	13	23
	15		16	25
	14		20	30
U. S. Grade D or Substandard-----	13 or less	More than the allowances permitted for 14 score points.		

(g) *Determination of the grades of frozen strawberries for manufacturing.*

(1) The grade of frozen strawberries for manufacturing is determined immediately after thawing a sample to the extent that the units may be separated easily. The grade of frozen strawberries for manufacturing is ascertained by considering the following factors, and for which no scoring system is provided: Color, absence of defects, and character.

(2) "Normal flavor and odor" means that the strawberries are free from objectionable flavors, off flavors, and objectionable odors of any kind.

(h) *Ascertaining the rating of each factor for frozen strawberries for manufacturing.* (See Table IV of this section which is a brief summary of requirements for grades of frozen strawberries for manufacturing.)

(1) *Color* (i) "Well colored" means that not less than four-fifths, in the aggregate, of the surface of the whole strawberry is the red or pink color characteristic of strawberries of similar varieties, and that the surface (including cut surfaces) of the sliced strawberry is the typical color, characteristic of well-ripened strawberries of similar varieties.

(ii) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" requires that the frozen strawberries shall possess a bright, practically uniform, typical color. "Bright, practically uniform, typical color" means that the whole and sliced strawberries possess a bright and good characteristic red or pink color; reasonably free from a slightly dull, slightly grey, or slightly reddish-brown cast; and that there may be present not more than 5 percent, by count, of the whole strawberries that are not well colored and not more than 5 percent, by weight, of the sliced strawberries that are not well colored.

(iii) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" requires that the frozen strawberries shall possess a reasonably bright, reasonably uniform, typical color. "Reasonably bright, reasonably uniform, typical color" means that the whole and sliced strawberries possess a reasonably good characteristic red or pink color that may possess a slightly dull, slightly grey, or slightly reddish-brown cast; and that there may be present not more than 10 percent, by count, of the whole strawberries that are not well colored and not more than 10 percent, by weight, of the sliced strawberries that are not well colored.

(iv) Frozen strawberries for manufacturing that fail to meet the requirements of subdivision (iii) of this subparagraph for the factor of color shall be considered U. S. Grade D for Manufacturing or Substandard for Manufacturing.

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, caps and portions thereof, sepal-like bracts and portions thereof, stems, short stems, undeveloped strawberries, and damaged strawberries.

(i) "Harmless extraneous material" means vegetable substances such as weeds, grass, and leaves and any portions thereof that are harmless.

(ii) A "cap" means a loose or attached full cap or a portion of a cap to which at least one sepal-like bract or portion thereof is attached. A "short stem" that is attached to the cap is considered a part of the cap. A stem that is attached to the cap is considered a separate defect.

(iii) A "stem" means a stem, either loose or attached, that is longer than $\frac{1}{8}$ inch.

(iv) A "short stem" means a stem that is $\frac{1}{8}$ inch or less in length and which may include the center portion of a cap to which no sepal-like bract or portion thereof is attached.

(v) An "undeveloped strawberry" means a strawberry or a portion of a strawberry that possesses a hard, seedy, or deformed end or that possesses deformed areas which materially affect either the appearance or the edibility of the product.

(vi) A "damaged strawberry" means a strawberry or a portion of a strawberry that is damaged by bruises or by pathological, insect, or other injury or is damaged by other means which materially affect either the appearance or the edibility of the product. Minute, insignificant injuries are not considered as damage.

(vii) "Area" means the aggregate surface covered by the material stated when such material or portions thereof are placed in a contiguous position with no intervening spaces.

(viii) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" requires that the frozen strawberries shall be practically free from defects for the purpose of manufacturing. "Practically free from defects for the purpose of manufacturing" has the following meaning with respect to the following styles of frozen strawberries:

Whole. There may be present for each 16 ounces of net weight an area of

not more than $\frac{1}{4}$ square inch comprising harmless extraneous material (such as leaves and portions thereof) caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 2 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass); and not more than 8 short stems; and there may be present not more than a total of 10 percent, by weight, of whole strawberries that are undeveloped strawberries and of whole strawberries that are damaged strawberries.

Sliced. There may be present for each 16 ounces of net weight an area of not more than $\frac{1}{4}$ square inch comprising harmless extraneous material (such as leaves and portions thereof) caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 2 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass); and not more than 8 short stems; and there may be present not more than a total of 5 percent, by weight, of sliced strawberries that are undeveloped units of strawberries and of sliced strawberries that are damaged units of strawberries.

(ix) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" requires that the frozen strawberries shall be reasonably free from defects for the purpose of manufacturing. "Reasonably free from defects for the purpose of manufacturing" has the following meaning with respect to the following styles of frozen strawberries:

Whole. There may be present for each 16 ounces of net weight an area of not more than $\frac{1}{2}$ square inch comprising harmless extraneous material (such as leaves and portions thereof) caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 4 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass) and not more than 16 short stems; and there may be present not more than a total of 20 percent, by weight, of whole strawberries that are undeveloped strawberries and of whole strawberries that are damaged strawberries.

Sliced. There may be present for each 16 ounces of net weight an area of not more than $\frac{1}{2}$ square inch comprising harmless extraneous material (such as leaves and portions thereof), caps and portions thereof, and loose sepal-like bracts and portions thereof; not more than 4 stems, including not more than 1 stem which may exceed $\frac{1}{2}$ inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass); and not more than 16 short stems; and there may be present not more than a total of 10 percent, by weight, of sliced strawberries that are undeveloped units of strawberries and of sliced strawberries that are damaged units of strawberries.

(x) Frozen strawberries for manufacturing that fail to meet the requirements of subdivision (ix) of this subparagraph for the factor of absence of defects shall be considered U. S. Grade D for Manufacturing or Substandard for Manufacturing.

(3) *Character.* The factor of character refers to the texture and degree of disintegration or the degree of wholeness as evidenced by crushed or partial strawberries and mushy strawberries.

(i) A "crushed or partial strawberry" is a strawberry that has been excessively trimmed or has become disintegrated so that the portion remaining intact is less than one-half of the apparent whole strawberry.

(ii) "Mushy strawberries" are strawberries that are so soft that they are a pulpy mass.

(iii) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" requires that the frozen strawberries shall possess a good character for the purposes of manufacturing. "Good character for the purposes of manufacturing" means that the strawberries are reasonably fleshy, reasonably firm, and reasonably intact and that:

(a) Not more than 15 percent, by weight, of whole strawberries may be crushed or partial strawberries and mushy strawberries; and

(b) Not more than 25 percent, by weight, of sliced strawberries may be mushy strawberries.

(iv) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" requires that the frozen strawberries shall possess a reasonably good

character for the purposes of manufacturing. "Reasonably good character for the purposes of manufacturing" means that the strawberries are fairly fleshy, fairly firm, and fairly intact and that:

(a) Not more than 25 percent, by weight, of whole strawberries may be crushed or partial strawberries and mushy strawberries; and

(b) Not more than 40 percent, by weight, of sliced strawberries may be mushy strawberries.

(v) Frozen strawberries for manufacturing that fail to meet the requirements of subdivision (iv) of this subparagraph for the factor of character shall be considered U. S. Grade D for Manufacturing or Substandard for Manufacturing.

TABLE IV—BRIEF SUMMARY OF REQUIREMENTS FOR GRADES OF FROZEN STRAWBERRIES FOR MANUFACTURING

Grades	Color				
	Whole and sliced—typical color	Whole—not well colored maximum (by count)		Sliced—not well colored maximum (by weight)	
U. S. Grade A for manufacturing or U. S. Fancy for manufacturing.	Bright and good characteristic red or pink color, reasonably free from a slightly dull, slightly grey, or slightly reddish-brown cast. Reasonably good characteristic red or pink color that may possess a slightly dull, slightly grey, or slightly reddish-brown cast.	Percent	5	Percent	
U. S. Grade B for manufacturing or U. S. Choice for manufacturing.		10	10		
Absence of defects					
	Whole and sliced			Whole—undeveloped and damaged strawberries	Sliced—undeveloped and damaged units of strawberries
	Harmless extraneous material (leaves, etc.), caps, sepal-like bracts and portions thereof	Harmless extraneous material (weeds, grass) and stems (including stems over ¼ inch)	Short stems		
	Maximum				
	Per 16 ounces of net weight			By weight	By weight
U. S. Grade A for manufacturing or U. S. Fancy for manufacturing.	¼ square inch.....	2 stems, including 1 stem that may exceed ½ inch, or 1 piece harmless material.	8	Percent 10	Percent
U. S. Grade B for manufacturing or U. S. Choice for manufacturing.	½ square inch.....	4 stems, including 1 stem that may exceed ½ inch, or 1 piece harmless material.	10	20	10
		Character			
		Whole—crushed, partial, and mushy—maximum by weight		Slices—mushy—maximum by weight	
U. S. Grade A for manufacturing or U. S. Fancy for manufacturing.	Good character for purposes of manufacturing: reasonably fleshy, reasonably firm, reasonably intact. Reasonably good character for the purposes of manufacturing: fairly fleshy, fairly firm, fairly intact.	Percent 15		Percent 25	
U. S. Grade B for manufacturing or U. S. Choice for manufacturing.		25		40	

(1) *Tolerance for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen strawberries, the grade for such lot will be determined by averaging the total scores of all containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the require-

ments of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, must be within the range for the grade indicated;

(ii) None of the containers compris-

ing the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total score; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(j) *Score sheet for frozen strawberries (not for manufacturing)*

Size and kind of container.....		
Container mark or identification.....		
Label (Style of Pack: Ratio of fruit to sugar, etc., if shown).....		
Net weight.....		
Style.....		
Size ¹		
Factors	Score points	
I. Color.....	40	(A) 34-40 (B) 28-33 (D) 10-27
II. Absence of defects.....	40	(A) 34-40 (B) 28-33 (D) 10-27
III. Character.....	20	(A) 17-28 (B) 14-16 (D) 10-13
Total score.....	100	
Normal flavor and odor.....		
Grade.....		

¹ See size limitation for U. S. Grade A or U. S. Fancy only.
² Indicates limiting rule.

(k) *Work sheet for frozen strawberries for manufacturing.*

Size and kind of container.....		
Container mark or identification.....		
Label (Style of Pack: Ratio of fruit to sugar, etc., if shown).....		
Net weight.....		
Style.....		
Size.....		
Color.....	(A) Bright, practically uniform, typical color. (B) Reasonably bright, reasonably uniform, typical color. (D) Fails to meet requirements for (B).	
Defects.....	(A) Practically free from defects for the purposes of manufacturing. (B) Reasonably free from defects for the purposes of manufacturing. (D) Fails to meet requirements for (B).	
Character.....	(A) Good character for the purposes of manufacturing. (B) Reasonably good character for the purposes of manufacturing. (D) Fails to meet requirements for (B).	
Normal flavor and odor.....		
U. S. Grade for Manufacturing.....		

(1) *Effective time and supersedure.* The United States Standards for Grades of Frozen Strawberries (which are the third issue) contained in this section shall become effective thirty days after publication of these standards in the FEDERAL REGISTER and shall thereupon supersede the standards that have been in effect since July 1, 1944. (Pub. Law 266, 80th Cong.)

Issued at Washington, D. C., this 9th day of April 1948.

[SEAL] S. R. NEWELL,
*Acting Assistant Administrator,
 Production and Marketing
 Administration.*

[F. R. Doc. 48-3312; Filed, Apr. 14, 1948; 9:04 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

REGISTRATION OF FUTURES COMMISSION MERCHANTS

By virtue of the authority vested in the Secretary of Agriculture under the Commodity Exchange Act, as amended (42 Stat. 998, 49 Stat. 1491, 52 Stat. 205, 54 Stat. 1059, Pub. Law 392, 80th Cong., approved Dec. 19, 1947, 7 U. S. C. 1-17a), the fourth paragraph of § 1.10 of Part 1 of Chapter I of Title 17, Code of Federal Regulations, is hereby amended by deleting the first two sentences of the said paragraph and substituting in lieu thereof the following: "If the applicant is a partnership, the financial statement shall be signed in the name of the partnership by a general partner. If the applicant is a sole proprietorship, the financial statement shall be signed by the proprietor."

This amendment deletes from the regulations the requirement that financial statements submitted by partnerships and sole proprietorships which apply for registration as futures commission merchants shall have signature witnesses. This requirement has been found to be unnecessary and its removal could not adversely affect the public. Therefore, it is found upon good cause that notice and public procedure on this amendment are unnecessary, and as the amendment constitutes the relieving of a restriction it may be made effective within less than 30 days after publication thereof.

(42 Stat. 998, as amended; 7 U. S. C. Chap. 1)

This amendment shall be effective upon publication in the FEDERAL REGISTER.

Issued this 12th day of April 1948.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-3332; Filed, Apr. 14, 1948; 9:04 a. m.]

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

MISCELLANEOUS EXEMPTIONS UNDER SECTION 3 OF THE SECURITIES EXCHANGE ACT OF 1934

The Securities and Exchange Commission deems it necessary for the exercise of the functions vested in it and necessary and appropriate in the public in-

terest and for the protection of investors to amend § 240.3a12-2 (Rule X-3A12-2) under the Securities Exchange Act of 1934. The Commission finds that the amendment operates to grant an exemption and may be declared effective immediately pursuant to section 4 (c) of the Administrative Procedure Act. Therefore; *It is ordered*, Pursuant to the authority conferred upon the Commission by the Securities Exchange Act of 1934, particularly sections 3 (a) (12) and 23 (a) thereof, that paragraph (b) of § 240.3a12-2 be amended to read as follows:

§ 240.3a12-2 *Exemption of certain securities, the income of which is substantially guaranteed by States or political subdivisions thereof.* (a) * * *

(b) The exemption provided by this rule shall be available to such security only so long as the conditions specified in paragraph (a) of this section are satisfied or during the subsequent dissolution of the issuer of any security so exempted.

(Sec. 3 (a) (12) 48 Stat. 882, sec. 23 (a), 49 Stat. 1379; 15 U. S. C. 78c, 78w)

Effective: April 9, 1948.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

APRIL 8, 1948.

[F. R. Doc. 48-3303; Filed, Apr. 14, 1948; 9:00 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter II—Tennessee Valley Authority

PART 302—RULES, POLICY AND INTERPRETATION

AVAILABILITY OF DRAWINGS, PLANS AND DESIGNS

A new section is added to read as follows:

§ 302.4 *Drawings, plans and designs.* TVA may from time to time have engineering drawings, plans and designs which, subject to and in accordance with the provisions of this section, may be made available to members of the public having a bona fide interest therein. Such plans are made available as a public service and in no event shall TVA be required to furnish any drawing, plan or design except those determined by it to be available. They shall be made available in the following manner:

(a) *To whom available.* The drawings, plans and designs included within the scope of this section shall be made available to persons conducting or planning to conduct operations involving use of the particular plans requested, or of any details therefrom.

(b) *Requests.* Requests for such plans shall be made in writing to the division of TVA particularly concerned

with such plans or may be addressed to "Tennessee Valley Authority, Knoxville, Tennessee." The requests shall contain information reasonably sufficient to (1) identify the plans sought to be obtained, and (2) establish the interest in the plans of the person making the request.

(c) *Action on requests.* TVA shall promptly upon receipt of such a request determine whether the plans are such as can be made available and whether the person requesting such plans has a bona fide interest in them as provided herein, and shall notify the person making the request of such determination.

(d) *Method of making available and cost.* Such plans may be made available at TVA's discretion by (1) loaning copies thereof for specified periods of time, (2) by reproducing and furnishing copies thereof, or (3) as otherwise may seem to TVA to be an appropriate and practical method; and shall be made available without discrimination between persons of similar status in accordance with such terms as to cost and other conditions as TVA may determine to be appropriate.

(e) *Use of drawings, plans and designs.* The drawings, plans and designs shall be furnished by TVA only on the condition that they shall not be resold by the person so obtaining them but with the proviso that the incorporating of details from such plans into plans prepared for sale by such person is not precluded. In addition, TVA, in its discretion may provide that such plans shall not be published or used substantially intact without giving appropriate credit as having been developed by TVA. (48 Stat. 58, as amended; 16 U. S. C. and Sup., 831 et seq.)

Issued this 8th day of April 1948.

TENNESSEE VALLEY
AUTHORITY,

[SEAL]

GEORGE F. GANT,
General Manager

[F. R. Doc. 48-3317; Filed, Apr. 14, 1948;
9:01 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 500—GENERAL

FIELD ORGANIZATION

Section 500.22 *Field Organization* (13 F. R. 1979) of Subpart C is amended, effective April 3, 1948, by:

1. Deleting the address "New City Hall" opposite "South Dakota, Sioux Falls" and substituting therefor the following address: "Minnehaha Building"

2. Deleting in the Column headed *Jurisdiction* "Entire State" opposite "South Dakota, Sioux Falls" and substituting therefor the following: "Entire State including entire state of North Dakota"

(Sec. 1, 48 Stat. 1246, as amended; 12 U. S. C. and Sup. 1702; Reorg. Plan No. 3 of 1947, 12 F. R. 4981)

[SEAL]

R. WINTON ELLIOTT,
Assistant Commissioner

APRIL 9, 1948.

[F. R. Doc. 48-3309; Filed, Apr. 14, 1948;
9:04 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Office of Materials Dis- tribution, Bureau of Foreign and Domestic Commerce, Department of Commerce

[Allocations Reg. 1, Interpretation 1]

PART 945—REGULATIONS APPLICABLE TO THE OPERATION OF THE ALLOCATIONS AND EX- PORT PRIORITIES SYSTEM

RECORD-KEEPING REQUIREMENTS (OMD, CPA (OTC) WPB, OPM)

(a) *Purpose.* The purpose of this interpretation is to clarify the requirements for keeping records on transactions affected by rules, regulations or orders of the Office of Materials Distribution, Department of Commerce, and its predecessor agencies—the Civilian Production Administration (Office of Temporary Controls) the War Production Board, and the Office of Production Management. This interpretation does not apply to records which may be necessary or desirable in connection with the rules, regulations or orders of any other agencies.

(b) *Requirements.* So far as regulations of the agencies specified in paragraph (a) above are concerned, the requirements are as follows:

(1) The only provision now in effect is set out in Allocations Regulation 1 of the Office of Materials Distribution. That regulation contains a section which reads in part as follows:

§ 945.11 *Records.* Each person participating in any transaction to which any rule, regulation or order of the OMD applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the materials involved. * * *

(2) Under AR-1, records need be kept only for transactions which (i) are less than two years old and in addition (ii) are those to which rules, regulations or orders of the Office of Materials Distribution apply. This includes rules, regulations and orders issued by the Office of Materials Distribution and those transferred to it from the Civilian Production Administration (Office of Temporary Controls).¹

(3) Under AR-1, records need not be kept if either (i) they relate only to transactions which are more than two years old or (ii) they were established in connection with Office of Production Management, War Production Board or Civilian Production Administration (Office of Temporary Controls) rules, regulations or orders which were not transferred to the Office of Materials Distribution.

(c) *Background.* General record-keeping requirements were originally established in Priorities Regulation 1, issued by the Office of Production Management in 1941 and containing a provision similar to the Allocations Regulation 1 provision quoted in paragraph (b)

¹ Up to the date of issuance of this interpretation, OMD rules, regulations and orders—including those transferred from the CPA (OTC)—included the following: AR-1, AR-2 (and directions), AR-8, M-43, M-81 (and Direction 10), M-84 (now revoked) M-112, M-131, M-393 (now revoked), R-1.

above. Priorities Regulation 1 was kept in effect by the War Production Board and then by the Civilian Production Administration (Office of Temporary Controls) until April 1, 1947. As of that date, the following steps were taken by the Civilian Production Administration (Office of Temporary Controls) in connection with a transfer of its Veterans' Emergency Housing Program functions to the Office of Housing Expediter:

(1) Transfer of Priorities Regulation 1 (and certain other CPA orders and regulations relating to the housing functions) to the Office of Housing Expediter (12 F. R. 2127)

(2) Issuance of a new regulation (Allocations Regulation 1) similar to Priorities Regulation 1 but applying only to matters remaining under the jurisdiction of the Civilian Production Administration (Office of Temporary Controls)

On May 4, 1947, the Office of Materials Distribution became the successor to the then remaining functions of the Civilian Production Administration (Office of Temporary Controls) and adopted the outstanding rules, regulations and orders of that agency, including Allocations Regulation 1.

On April 1, 1948, the Office of Housing Expediter revoked Priorities Regulation 1. The notice of revocation (13 F. R. 1901) contained the following statement in a footnote:

In connection with the records keeping requirements of Priorities Regulation 1, this revocation applies only to the Office of Temporary Controls (Civilian Production Administration) regulations and orders transferred to and adopted by the Housing Expediter in Housing Expediter Priorities Order 5. It does not apply to the keeping of records in connection with any other Office of Temporary Controls (Civilian Production Administration) regulations and orders. (See Allocations Regulation 1 issued by the Office of Temporary Controls (Civilian Production Administration) and now administered by the Office of Materials Distribution, Department of Commerce).

Issued this 15th day of April 1948.

OFFICE OF MATERIALS
DISTRIBUTION,
By RAYMOND S. HOOVER,
Issuance Officer

[F. R. Doc. 48-3343; Filed, Apr. 14, 1948;
9:16 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 11, Amdt. 1]

PART 8311—PROCEEDS AND EXPENSES

War Assets Administration Regulation 11, December 30, 1946, entitled "Proceeds and Expenses" (12 F. R. 24), is hereby amended by changing paragraph (e) of § 8311.4 to read as follows:

§ 8311.4 *Net proceeds.* * * *

(e) No part of the proceeds received by a disposal agency from the sale of surplus property as scrap or salvage, or from charges made on donations, or from the sale of small lots, which for the purpose of this part shall be considered to be any line item of personal property the cost of which (estimated if not known) is less than one hundred dollars

(§100.00) shall be deemed to be net proceeds, and all such proceeds shall be deposited in the special fund account in the Treasury.

(Surplus Property Act of 1944, as amended; (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611) Pub. Law 181, 79th Cong. (59 Stat. 333; 50 U. S. C. App. Sup. 1614a, 1614b) Pub. Law 269, 80th Cong. (61 Stat. 585) and Reorg. Plan 1 of 1947 (12 F. R. 4534))

This amendment shall be effective April 14, 1948.

JESS LARSON,
Administrator.

APRIL 9, 1948.

[F. R. Doc. 48-3377; Filed, Apr. 14, 1948;
10:12 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS MONA PASSAGE IN VICINITY OF MONITO ISLAND

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) § 204.120 is hereby prescribed to govern the use and navigation of waters of Mona Passage in the vicinity of Monito Island, 3.5 miles northwest of Mona Island and 53 miles west of Mayaguez, Puerto Rico, comprising a practice aerial bombing range of the United States Air Force, Borinquen Field, Puerto Rico:

§ 204.120 *Mona Passage in vicinity of Monito Island, Puerto Rico; aerial bombing range of United States Air Force, Borinquen Field, Puerto Rico*—(a) *The danger zone.* (1) All waters within a circle six miles in diameter with its center at latitude 18°09'42.5" N., longitude 67°57'00" W., the approximate center of Monito Island.

(2) The outer boundary of the danger zone will not be marked, but signs will be posted at conspicuous places on the shore of Monito Island to warn against trespassing on the target area. Aircraft and water craft will be presumed to know the location of the danger zone by its principal landmarks, Monito Island at the center of the area and Mona Island one-half mile off the southeast edge of the area.

(b) *The regulations.* (1) The danger zone shall be open to navigation at all times except when bombing practice is being conducted. At such times no vessel or other craft, except those engaged in the patrol of the area or in bombing practice, shall enter or remain within the area.

(2) The fact that aerial bombing practice is to take place over the designated area will be advertised to the public through the usual media for the dissemination of such information. Inasmuch as such practice is to be carried on throughout the year, without regard to season, such advertising will be repeated at intervals not exceeding three months,

and at more frequent intervals when, in the opinion of the Commanding Officer responsible for the use of the area, such frequent repetition is advisable in the interest of public safety.

(3) Prior to conducting each bombing practice the entire danger zone will be patrolled by aircraft and surface vessels to insure that no watercraft are within the danger zone. Any watercraft found in the vicinity will be warned that bombing practice is about to take place. Any such watercraft shall, upon being so warned, leave the danger zone immediately and shall not return until such practice shall have been terminated, and notification to that effect shall have been given by the patrol craft.

(4) This section shall be enforced by the Commanding Officer, 24th Composite Wing, United States Air Force, Borinquen Field, Puerto Rico, and such agencies as he may designate. [Regs. Mar. 26, 1948, CE 800.2121 (Mona Passage, Puerto Rico)—ENGWR] (40 Stat. 266; 33 U. S. C. 1)

[SEAL]

EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-3318; Filed, Apr. 14, 1948;
9:01 a. m.]

PART 204—DANGER ZONE REGULATIONS

PART 206—FISHING AND HUNTING REGULATIONS

PART 207—NAVIGATION REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) § 204.30 (f) is hereby prescribed to govern the use and navigation of waters of Chesapeake Bay in the vicinity of Tangier Island, Virginia, comprising prohibited and restricted areas for the conducting of tests involving guided missiles by the Naval Aviation Ordnance Test Station, Chincoteague, Virginia:

§ 204.30 *Chesapeake Bay.* * * *

(f) *Guided missiles test operations in vicinity of Tangier Island by Naval Aviation Ordnance Test Station, Chincoteague, Va.*—(1) *The danger zone*—(i) *Prohibited area.* A circle 1,000 yards in radius with its center at latitude 37°47'54" longitude 76°03'48"

(ii) *Restricted area.* A circle three nautical miles in radius with its center at latitude 37°47'54", longitude 76°03'48" excluding the prohibited area.

(2) *The regulations.* (i) Vessels or other craft shall not enter or remain in the prohibited area at any time unless authorized to do so by the enforcing agency.

(ii) Except as otherwise provided in subdivision (vi) of this subparagraph, vessels or other craft shall not enter or remain in the restricted area when firing is or will soon be in progress unless authorized to do so by the enforcing agency.

(iii) Advance notice will be given of the date on which the first firing is to be

conducted and such notice will be published in "Notice to Mariners." Thereafter, the danger zone will be in use intermittently throughout the year and no further notice is contemplated that firing is continuing.

(iv) Warning that firing is or will soon be in progress will be indicated by a red flag displayed from one of six dolphin platforms on the perimeter of the prohibited area, and by patrol vessels within the danger zone or by aircraft employing the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle. Surface or air search of the entire area will be made prior to the commencement of firing on each scheduled day. During periods of firing a patrol vessel will remain in the approaches to the restricted area and maintain continuous contact with firing planes to warn when the area is not clear.

(v) Upon observing the warning flag or upon receiving a warning by any of the patrol vessels or aircraft, vessels or other craft shall immediately vacate the restricted area and remain outside of the area until the conclusion of firing for the day.

(vi) This section shall not deny traverse of portions of the restricted area by commercial craft proceeding in established steamer lanes, but when firing is or will soon be in progress all such craft shall proceed on their normal course through the area with all practicable speed.

(vii) All projectiles, bombs, and rockets will be fired to land within the prohibited area, but the Department of the Navy will not be responsible for damage by such projectiles, bombs, or rockets to nets, traps, buoys, pots, fishpounds, stakes, or other equipment which may be located within the restricted area.

(viii) This section shall be enforced by the Commanding Officer, Naval Aviation Ordnance Test Station, Chincoteague, Virginia, and such agencies as he may designate.

[Regs. Mar. 23, 1948, CE 800.2121 (Chesapeake Bay)—ENGWR] (40 Stat. 266; 33 U. S. C. 1)

2. Pursuant to the provisions of section 10 of the River and Harbor Act of March 3, 1899 (30 Stat. 1151, 33 U. S. C. 403), § 206.45 (c) designating areas in Hudson River, New York and New Jersey, within which shad nets, poles and other fishing structures may be permitted, is hereby amended as follows:

§ 206.45 *Hudson River, N. Y. and N. J., south of Stoney Point, Stoney Point, N. Y., fishing.* * * *

(c) *Approved fishing areas.* The areas described below are approved as areas within which shad nets, poles, and other fishing structures may be permitted, pursuant to the regulations contained in this section.

(9) *Area No. 8.* An area along the westerly side of the river, between Rockland Lake Landing, New York, and Bowline Point, New York, shoreward of straight lines joining the following points:

Point No.	Latitude	Longitude
	° ' "	° ' "
48.....	41 08 56	73 54 22.5
49a.....	41 09 53	73 55 06
50.....	41 11 12	73 56 45
51b.....	41 12 18	73 57 12
51b.....	41 12 14.2	73 57 19.2
51.....	41 12 15	73 57 28

(10) *Area No. 9.* An area along the westerly side of the river between Bowline Point, New York, and Grassy Point, New York, shoreward of straight lines joining the following points:

Point No.	Latitude	Longitude
	° ' "	° ' "
51.....	41 12 15	73 57 28
51b.....	41 12 14.2	73 57 19.2
51b.....	41 12 18	73 57 12
51a.....	41 13 29	73 57 42
51a.....	41 13 27	73 57 49

(11) *Area No. 10.* An area along the westerly side of the river between Grassy Point, New York, and Stony Point, New York, shoreward of straight lines joining the following points:

Point No.	Latitude	Longitude
	° ' "	° ' "
51a.....	41 13 27	73 57 49
51a.....	41 13 29	73 57 42
52.....	41 14 27	73 58 09

[Regs. Mar. 22, 1948, CE 800.217 (Hudson River-N. J., N. Y.)—ENGWR] (30 Stat. 1151, 33 U. S. C. 403)

3. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), §§ 207.180 (g) 207.250 (m) 207.300 (m), 207.410 (k) 207.700 (n) and 207.710 (j) are hereby amended so as to insure that liability for the cost of repairs of damage to navigation structures will be governed by law rather than by regulation, as follows:

§ 207.180 *All waterways tributary to the Gulf of Mexico (except the Mississippi River its tributaries and outlets) from St. Marks, Fla., to the Rio Grande; use, administration, and navigation.* * * *

(g) *Damage.* This section shall not affect the liability of the owners and operators of vessels for any damage caused by their operations to canal revetments, lock piers and walls, floodgates and appurtenances, bridges, and bridge fenders, or for displacing or damaging buoys, stakes, spars, range lights, or other aids to navigation.

§ 207.250 *Ouachita River Ark. and La., use, administration, and navigation.* * * *

(m) *Damage to locks or other structures.* This section shall not affect the liability of the owners and operators of boats for any damage caused by their operations to locks or other structures.

§ 207.300 *Ohio River, Mississippi River above Cairo, Ill., and their tributaries; use, administration, and navigation.* * * *

(m) *Damage to locks or other structures.* This section shall not affect the liability of the owners and operators of floating craft for any damage caused by their operations to locks or other structures. The sides of all craft passing through any lock shall be free from projections of any kind which might injure the lock walls. Steamboats shall be provided with suitable fenders. One or more men as the lockmaster may direct shall be kept at the head of every tow until it has cleared the lock and guide walls to protect the walls by the use of fenders.

§ 207.410 *Keweenaw Waterway, Mich.* * * *

(k) *Damage to cribs, piers, and revetments.* This section shall not affect the liability of the owners and operators of vessels for any damage caused by their operations to cribs, piers, and revetments. Vessels shall use great care not to strike or injure these structures.

§ 207.700 *Bonneville Navigation Lock and approach channels, Columbia River Oreg.; use, administration, and navigation.* * * *

(n) *Damage to lock or other structures.* This section shall not affect the liability of the owners and operators of vessels for any damage caused by their operations to the lock or other structures.

§ 207.710 *Dalles - Celilo Canal, Columbia River; use, administration, and navigation.* * * *

(j) *Damage to locks or other structures.* This section shall not affect the liability of the owners and operators of vessels for any damage caused by their operations to locks or other structures.

[Regs. Mar. 20, 1948, CE 800.211—ENGWR] (40 Stat. 266; 33 U. S. C. 1)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-3304; Filed, Apr. 14, 1948; 8:49 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 25—MEDICAL

DEFINITIONS APPLICABLE IN DETERMINING ELIGIBILITY FOR HOSPITAL TREATMENT OR DOMICILIARY CARE

1. In § 25.6048, paragraph (a) (3) is amended to read as follows:

§ 25.6048 *Definitions applicable in determining eligibility for hospital treatment or domiciliary care.* (a) * * *

(3) "No adequate means of support." When an applicant is receiving an income of \$100 or more per month from any source, this fact will be considered prima facie evidence that he has adequate means of support, except when he is in fact contributing in whole or part from such income to the support of a wife, child, mother or father. If the applicant alleges he is contributing to the support of dependents other than

these, the alleged circumstances will be submitted to the manager for decision as to eligibility for admission.

(44 Stat. 826, 45 Stat. 947, 948, 46 Stat. 496, 48 Stat. 9, 301, 525, 49 Stat. 720; 38 U. S. C. and Sup. 612, 621, 622, 662, 664, 706, 707)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.
By O. W. CLARK.

[F. R. Doc. 48-3319; Filed, Apr. 14, 1948; 9:06 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation, Department of the Interior

PART 402—ANNUAL WATER CHARGES

ARIZONA, CALIFORNIA, IDAHO, AND WYOMING

CROSS REFERENCE: For additions to the tabulation contained in § 402.2, see Federal Register Documents 48-3286, 48-3287, and 48-3288 under Department of the Interior, Bureau of Reclamation, in the Notices section, *infra*.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 8581]

PART 63—EXTENSION OF LINES AND DISCONTINUANCE OF SERVICE BY CARRIERS

SPECIAL PROVISIONS RELATING TO TEMPORARY OR EMERGENCY SERVICE

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 7th day of April 1948;

The Commission, having under consideration the matter of the amendment of § 63.04 of Part 63 (Extension of lines and discontinuance of service by carriers) of the Commission's rules and regulations;

It appearing, that on October 30, 1947, the Commission adopted a notice of proposed rule making which was published in the FEDERAL REGISTER on November 8, 1947 (12 F. R. 7339) in accordance with section 4 (a) of the Administrative Procedure Act;

It further appearing, that the period in which interested persons were afforded an opportunity to submit comments expired on December 1, 1947; that prior to said date American Telephone and Telegraph Company and The Western Union Telegraph Company filed comments recommending certain changes in the proposed amendment; and that these recommendations have been carefully considered and certain of them have been incorporated in the proposed amendment as hereinafter ordered;

It further appearing, that the proposed amendment, if adopted, would provide a procedure whereby carriers may obtain continuing authority to provide emergency or temporary service under the second proviso clause of section 214

(a) of the Communications Act of 1934, as amended, by the lease and operation of communication facilities of other companies;

It is ordered, That, effective May 17, 1948, Part 63, § 63.04 *Special provisions relating to temporary or emergency service* of the Commission's rules and regulations is amended as follows:

1. Existing paragraph (a) is relettered as paragraph (b) and, as relettered, said paragraph is amended to read as follows:

(b) Requests for immediate authority for temporary service or for emergency service, may be made by letter or telegram setting forth why such immediate authority is required, the nature of the emergency, the type of facilities proposed to be used, the route mileage thereof, the termini, the points to be served, how these points are presently being served by the applicant or other carriers, the need for the proposed service, the cost involved, including rentals, the date on which the service is to begin and, where known, the date or approximate date on which the service is to terminate.

2. A new paragraph (a) is added as follows:

(a) For the purpose of this section, the following definitions shall apply:

(1) "Temporary service" shall mean service for a period not exceeding six months;

(2) "Emergency service" shall mean service for which there is an immediate need occasioned by conditions unforeseen by, and beyond the control of, the carrier.

3. Existing paragraph (b) is relettered as paragraph (d) and a new paragraph (c) is added as follows:

(c) Without regard to the other requirements of this part, and by application setting forth the need therefor, any carrier may request continuing authority, subject to termination by the Commission at any time upon ten days' notice to the carrier, to provide temporary or emergency service by the lease and operation of telephone or telegraph facilities of other companies where the rental to be paid under each such lease is not more than \$5000 for the entire term of such lease, or if the term of the lease is for a one year period or longer, is not more than \$5000 on an annual basis; *Provided, however* That any carrier to which continuing authority has been granted under this subsection shall, not later than the 30th day following

the end of each six month period covered by such authority, file with the Commission a statement in writing making reference to this subsection and setting forth, with respect to each lease (including any renewal thereof) which was entered into under such authority and which lease and any renewal or renewals thereof were in continuous effect for a period of more than one week, the following information: the name of the lessor company, the nature of the emergency or other need for the leased facilities, the type of facilities leased, the route mileage thereof, the termini, the points served, how these points were being served by the applicant or other carriers prior to said lease, the cost involved including rentals, and the dates of commencement and termination of the lease.

(Secs. 4 (i) 214 (a), 48 Stat. 1066, 1075; 47 U. S. C. 4 (i), 214 (a))

Released: April 8, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3322; Filed, Apr. 14, 1948; 9:04 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

17 CFR, Part 9811

[Docket No. AO-189]

HANDLING OF IRISH POTATOES IN SOUTHEASTERN STATES

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the rules of practice and procedure governing proceedings to formulate marketing agreements and orders, as amended (7 CFR and Supps., 900.1 et seq., 11 F. R. 7737; 12-F R. 1159, 4904) a public hearing was held at Elizabeth City, North Carolina, on January 12-13, 1948, at New Bern, North Carolina, on January 15, 1948, at Charleston, South Carolina, on January 19, 1948, and at Parksley, Virginia, on January 22-23, 1948, pursuant to notice thereof which was published in the FEDERAL REGISTER (12 F. R. 8838; 13 F. R. 8) upon a proposed marketing agreement and proposed order regulating the handling of Irish potatoes grown in the Southeastern States production area.

Upon the basis of the evidence introduced at the aforesaid hearing and the record thereof, the Acting Assistant Administrator, Production and Marketing Administration on March 18, 1948, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of the filing of such recommended

decision, affording opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER (13 F. R. 1510, 1764) No exceptions to the recommended decision have been filed.

The material issues and the findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F. R. Doc. 48-2572; 13 F. R. 1510; 1764) are hereby approved and adopted as the material issues and the findings and conclusions of this decision as if set forth in full herein.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Irish Potatoes Grown in Southeastern States" and "Order Regulating the Handling of Irish Potatoes Grown in Southeastern States" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. The aforesaid marketing agreement and the aforesaid order shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

It is hereby ordered, That all of this decision, except the attached agreement, be published in the FEDERAL REGISTER. The regulatory provisions of the said agreement are identical with those contained in the attached order, which will be published with this decision.

Done at Washington, D. C., this 12th day of April 1948.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

Order¹ Regulating the Handling of Irish Potatoes Grown in Southeastern States

Sec.

- 981.0 Findings and determinations.
- 981.1 Definitions.
- 981.2 Administrative Committee.
- 981.3 District Committees.
- 981.4 Expenses and assessments.
- 981.5 Regulations.
- 981.6 Limitation of regulations.
- 981.7 Reports.
- 981.8 Compliance.
- 981.9 Right of the Secretary.
- 981.10 Effective time and termination.
- 981.11 Effect of termination or amendment.
- 981.12 Duration of immunities.
- 981.13 Agents.
- 981.14 Delegation.
- 981.15 Personal liability.
- 981.16 Separability.
- 981.17 Amendments.

§ 981.0 *Findings and determinations—*
(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Supps., 900.1 et seq., 11 F. R. 7737; 12 F. R. 1159, 4904), a public hearing was held at Elizabeth City, North Carolina on January 12-13, 1948, at New Bern, North Carolina, on January 15, 1948, at Charleston, South Carolina on January 19, 1948, and at Parksley, Virginia on January 22-23, 1948, upon a

¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

PROPOSED RULE MAKING

proposed marketing agreement and a proposed order regulating the handling of Irish potatoes grown in the Southeastern States production area. Upon the basis of evidence introduced at such hearing, and the record thereof, it is found that:

(1) The terms and provisions of this order¹ prescribe, so far as practicable, such different terms, applicable to different production areas, as are necessary in order to give due recognition to the difference in production and marketing of such Irish potatoes;

(2) This order¹ is limited in its application to the smallest regional production area that is practicable, consistent with carrying out the declared policy of the act, and the issuance of several orders applicable to any subdivision of said production area specified herein would not effectively carry out the declared policy of the act; and

(3) This order¹ and all of the terms and conditions of this order will tend to effectuate the declared policy of the act with respect to Irish potatoes produced in said production area, specified in this order, by establishing and maintaining such orderly marketing conditions therefor as will tend to establish prices to the producers thereof at a level that will give such Irish potatoes a purchasing power, with respect to the articles that the producers thereof buy, equivalent to the purchasing power of such Irish potatoes in the base period, August 1919-July 1929, and by protecting the interest of the consumer by (i) approaching the level of prices which it is declared in the act to be the policy of Congress to establish by a gradual correction of the current level of prices at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and (ii) by authorizing no action which has for its purpose the maintenance of prices to producers of such Irish potatoes above the level which it is declared in the act to be the policy of Congress to establish, and (iii) by establishing and maintaining such minimum standards of quality and such grading and inspection requirements for Irish potatoes in interstate commerce as will effectuate such orderly marketing of such Irish potatoes as will be in the public interest.

Order relative to handling. It is hereby ordered, pursuant to the findings and determinations set forth in § 981.0 and pursuant to the aforesaid act, that such handling of Irish potatoes produced in the counties of Accomack, Northampton, James City, Nansemond, Norfolk, and Princess Anne in the State of Virginia, and the counties of Scotland, Hoke, Harnett, Johnston, Nash, Halifax, Northampton, and all counties east thereof, in the State of North Carolina, as is in the current of interstate commerce or so as directly to burden, obstruct, or affect such commerce, shall, from, and after the time hereinafter

specified, be in conformity to and in compliance with the terms and conditions of this order.¹

§ 981.1 *Definitions.* As used herein, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States, or any other officer or member of the United States Department of Agriculture who is or may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(b) "Act" means Public Act No. 10, 73d Congress, as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.)

(c) "Person" means an individual, partnership, corporation, association, legal representative, or any organized group or business unit of individuals.

(d) "Production area" means and includes the counties of Accomack, Northampton, Princess Anne, Nansemond, Norfolk, and James City, in the State of Virginia, and the counties of Scotland, Hoke, Harnett, Johnston, Nash, Halifax, Northampton, and all counties east thereof in the State of North Carolina.

(e) "Potatoes" means all varieties of Irish potatoes grown in the production area.

(f) "Handler" is synonymous with shipper and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes in fresh form, whether or not of his own production.

(g) "Ship" means to transport, sell, or in any manner place potatoes in the current of interstate commerce or so as directly to burden, obstruct, or affect such commerce.

(h) "Producer" means any person engaged in the production of potatoes for market.

(i) "Fiscal year" means the period beginning on November 1 of each year and ending midnight October 31 of the following year.

(j) "Committee" means the Administrative Committee, called the Southeastern Potato Committee, established pursuant to § 981.2.

(k) "District" means, describes, and refers to each of the geographic divisions of the production area hereby established as follows:

District No. 1. Accomack County in the State of Virginia.

District No. 2. Northampton County in the State of Virginia.

District No. 3. Princess Anne, Nansemond, Norfolk, and James City counties in the State of Virginia.

District No. 4. Northampton, Gates, Hertford, Bertie, Chowan, Perquimans, Pasquotank, Currituck, and Camden counties in the State of North Carolina.

District No. 5. Halifax, Nash, Edgecombe, Pitt, Martin, Washington, Tyrrell, Dare, Hyde, Beaufort, Pamlico, Craven, Carteret, Onslow, and Jones counties in the State of North Carolina.

District No. 6. Scotland, Hoke, Harnett, Robeson, Cumberland, Sampson, Johnston, Wilson, Wayne, Greene, Lenoir, Duplin, Bladen, Columbus, Pender, New Hanover, and Brunswick counties in the State of North Carolina.

§ 981.2 *Administrative Committee—*

(a) *Establishment and membership.* (1) The Southeastern Potato Committee, consisting of 12 members, of whom 6 shall be producers and 6 shall be handlers, is hereby established. For each member of the committee, there shall be an alternate member, who shall have the same qualifications as the member.

(2) Persons selected as members or alternates of the committee shall be individuals who are producers or handlers, respectively, in the respective district for which selected, or officers or employees of a corporate producer or handler, respectively, in such district: *Provided*, That no person, if he handles potatoes, shall be eligible for selection as a producer member on said committee unless 51 percent or more of the potatoes handled by him during the then current fiscal year were of his own production or unless such person is an officer or employee of a producer's cooperative marketing association.

(b) *Term of office.* The term of office of members and alternates of the committee shall be for 1 year beginning on the 1st day of November. Members and alternates of the committee shall serve during the fiscal year for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during the fiscal year and continuing until the end thereof, and until their successors are selected and have qualified.

(c) *Initial committee members and alternates.* The initial members and alternates of the committee shall be selected by the Secretary for a term of office ending at midnight on October 31, 1948 and until their successors are elected and have qualified. In thus selecting the initial members and their respective alternates the Secretary may consider such nominations or suggestions, if any, as may be submitted by producers, handlers, or groups thereof, and such nominations or suggestions may be by virtue of elections conducted by groups of producers and groups of handlers.

(d) *Nominations.* (1) The Secretary may select the members of the Southeastern Potato Committee and their respective alternates, subsequent to the initial members and alternates, from nominations made by producers and handlers as provided in this section.

(2) Except for initial members and alternates the Southeastern Potato Committee shall hold or cause to be held prior to September 15 of each year, after the effective date hereof, a meeting or meetings of producers and handlers in each of the districts designated in § 981.1 (k), for the purpose of designating nominees from among whom the Secretary may select members and alternates of the committee.

(3) In arranging for such meetings, the Southeastern Potato Committee may, if it deems such to be desirable, utilize the services and facilities of existing organizations and agencies.

(4) At each such meeting at least two nominees shall be designated for each position as producer member, and as alternate producer member, on the committee and at least two nominees shall be designated for each position as han-

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

der member, and as alternate handler member, on the committee.

(5) Nominations for committee members and alternates shall be supplied to the Secretary in such manner and form as he may prescribe, not later than 15 days prior to the end of each fiscal year.

(6) Persons who are producers, handlers, or both producers-handlers, of potatoes may participate in designating nominees for members and alternates. Regardless of the number of districts in which a person produces or handles potatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives, in designating nominees for member and alternates on the committee for the respective district in which such person is engaged in producing or handling potatoes: *Provided*, That in the event a person is engaged in producing or handling potatoes in more than one district, such person shall elect the district within which he shall participate as aforesaid in designating nominees. *Provided further* That an eligible voter's privilege of casting only one vote, as aforesaid, shall be construed to permit a voter to cast one vote for each nominee for committee members and one vote for each nominee for alternate committee members, in the district in which such voter produces or handles potatoes or in the district elected by such voter.

(e) *Selection.* The Secretary shall select two committee members, with their respective alternates, from each of the districts as defined in § 981.7 (k) which members and alternates shall represent the respective district from which they are selected. One member from each district shall be selected to represent producers and the other shall be selected to represent handlers; their respective alternates shall be selected on the same basis of representation.

(f) *Failure to nominate.* If nominations are not made within the time and in the manner specified by the Secretary pursuant to paragraph (d) of this section, the Secretary may, without regard to nominations, select the members and alternate members of the committee, which selection shall be on the basis of the representation provided for herein.

(g) *Acceptance.* Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary within 10 days after being notified of such selection.

(h) *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any qualified member or alternate member, a successor for his unexpired term may be selected by the Secretary from nominations made in the manner specified in paragraph (d) of this section, or the Secretary may select such member or alternate member from previously unselected nominees on the current nominee list from the district involved. If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, the Secretary may fill such

vacancy without regard to nominations, which selection shall be made on the basis of the representation provided for herein.

(i) *Alternate members.* An alternate member of the committee shall act in the place and stead of the member for whom he is alternate during such member's absence. In the event of death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for the unexpired term of such member is selected and has qualified.

(j) *Procedure.* (1) Nine members shall constitute a quorum of the committee and any action of the committee shall require nine concurring votes.

(2) The committee may provide procedure for meeting by telephone, telegraph, or other means of communications, and any vote cast at such a meeting shall be confirmed promptly in writing: *Provided*, That if an assembled meeting of the committee is held all votes shall be cast in person.

(k) *Expenses and compensation.* The members of the committee and their respective alternates when acting as members, may be reimbursed for expenses necessarily incurred by them in performance of their duties and in the exercise of their powers hereunder, and shall receive compensation at a rate to be determined by the committee, which rate shall not exceed \$5.00 per day or portion thereof.

(l) *Powers.* The committee shall have the following powers:

(1) To administer the provisions hereof in accordance with its terms;

(2) To make rules and regulations to effectuate the terms and provisions hereof;

(3) To receive, investigate, and report to the Secretary complaints of violation of the provisions hereof;

(4) To recommend to the Secretary amendments hereto.

(m) *Duties.* It shall be the duty of the committee:

(1) To act as intermediary between the Secretary and any producer or handler;

(2) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books, and records shall be subject to examination at any time by the Secretary or his authorized agent or representative;

(3) To investigate, from time to time, and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes, and to engage in such research and service activities which relate to the handling or marketing of potatoes as may be approved by the Secretary.

(4) To furnish to the Secretary such available information as he may request;

(5) To select subcommittees of committee members, a chairman and such other officers as may be necessary, and to adopt such rules and regulations for conduct of its business as it may deem advisable;

(6) At the beginning of each fiscal year, to submit to the Secretary a budget of its expenses for such fiscal year, together with a report thereon;

(7) To cause the books of the committee to be audited by a competent accountant at least once each fiscal year, and at such other time as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant hereto; a copy of each such report shall be furnished to the Secretary and a copy of each of such report shall be made available at the principal office of the committee for inspection by producers and handlers.

(8) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person, and

(9) To consult, cooperate and exchange information with other potato marketing committees and other individuals or agencies in connection with all proper committee activities and objectives hereunder.

(n) *Obligations.* Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds, together with all books and records, in his possession, to his successor in office or to a trustee designated by the Secretary and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or trustee full title to all the property, funds, and claims vested in such member pursuant hereto: *Provided*, That the provisions hereof shall apply to alternate members in possession of funds, property, books or records, or participate in the receipt or disbursement of funds.

§ 981.3 *District Committees.* Potato producers and handlers in each district, as defined in § 981.1 (k) may establish and organize a District Committee of potato producers and handlers within each such district for the purpose of assisting in an advisory capacity the members of the Southeastern Potato Committee from their district. The size and composition of each such District Committee shall be determined by producers and handlers within each district. Reports on the size and composition of each District Committee shall be made available upon request to the Southeastern Potato Committee. The members of such District Committees shall not receive compensation from any funds dispersed by the Southeastern Potato Committee. Members of District Committees may be selected at meetings sponsored by the Southeastern Potato Committee. The terms of office of members of District Committees shall coincide with the terms of office of members of the Southeastern Potato Committee.

§ 981.4 *Expenses and assessments—*

(a) *Expenses.* The committee is authorized to incur such expenses as the Secretary finds may be necessary to carry out the functions of the committee pursuant to the provisions hereof during each fiscal year. The funds to cover such expenses shall be acquired by levying assessments as hereinafter provided.

(b) *Assessments.* (1) Each handler who first handles potatoes shall, with

respect to the potatoes so handled by him, pay to the committee such handler's pro rata share of the expenses which the Secretary finds will be necessarily incurred by the committee for its maintenance and functioning during each fiscal year. Such handler's pro rata share of such expenses shall be equal to the ratio between the total quantity of potatoes handled by him as the first handler thereof, during the applicable fiscal year, and the total quantity of potatoes handled by all handlers as the first handlers thereof, during the same fiscal year. The Secretary shall fix the rate of assessment to be paid by such handlers: *Provided*, That the rate of assessment during each fiscal year shall not exceed 1 cent per hundred-weight.

(2) At any time during or after a fiscal year, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses of the committee. Such increase shall be applicable to all potatoes handled during the given fiscal year. In order to provide funds to carry out the functions of the committee, handlers may make advance payment of assessments.

(c) *Accounting*. (1) If, at the end of a fiscal year, it shall appear that assessments collected are in excess of expenses incurred, each handler entitled to a proportionate refund of the excess assessments shall be credited with such refund against the operations of the following fiscal year, unless he demands payment thereof, in which event such proportionate refund shall be paid to him.

(2) If, after reasonable effort by the Committee, it is found impossible to return excess funds to handlers, such funds shall, with the approval of the Secretary, be turned over to an appropriate agency serving potato producers in the production area.

(3) The committee may, with the approval of the Secretary, maintain in its own name or in the name of its members, a suit against any handler for the collection of such handler's pro rata share of the expenses of the committee.

(d) *Funds*. All funds received by the Committee pursuant to any provision hereof shall be used solely for the purposes herein specified and shall be accounted for in the following manner:

(1) The Secretary may, at any time, require the committee and its members to account for all receipts and disbursements; and

(2) Whenever any person ceases to be a member of the committee, he shall account for all receipts and disbursements and deliver all property and funds in his hands, together with all books and records in his possession, to his successor in office or to such person as the Secretary may designate, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or in such designated person the right to all the property, funds, or claims vested in such member.

§ 981.5 *Regulations* — (a) *Marketing policy*. At the beginning of each fiscal year, the committee shall prepare and submit to the Secretary a report setting forth its proposed policy for the market-

ing of potatoes during such fiscal year. In the event it becomes advisable to deviate from such marketing policy, because of changed demand and supply conditions, the committee shall formulate a new marketing policy and shall submit a report thereof to the Secretary. The committee shall notify producers and handlers of the contents of such reports.

(b) *Recommendations for regulations*.

(1) It shall be the duty of the committee to investigate supply and demand conditions for grades, sizes, and quality of all potatoes. Whenever the committee finds that such conditions make it advisable to regulate the shipment of particular grades, sizes, or qualities of potatoes during any period in any or all portions of the production area, it shall recommend to the Secretary the particular grades, sizes, and qualities, or any combination thereof, of such potatoes deemed advisable to be shipped during such period: *Provided*, That the committee shall not recommend to the Secretary any regulation limiting the shipment of U. S. No. 1 grade or better, as such grades are defined in United States Standards for Potatoes in effect at the time of recommendation.

(2) In determining the grade, size, and qualities of potatoes or any and all combinations thereof deemed advisable to be regulated in view of the prospective demand thereof, the committee shall give due consideration to the following factors:

(i) Market prices, including prices by grades and sizes, of potatoes for which regulation is recommended;

(ii) Potatoes on hand in the market areas as manifested by supplies en route and on track at the principal markets;

(iii) Available supply, quality, and condition of potatoes in the production area and other production areas;

(iv) Supplies from competing areas and regions producing potatoes;

(v) The trend and level of consumer income, and

(vi) Other relevant factors.

(c) *Issuance of regulations*. Whenever the Secretary shall find, from the recommendations, information and evidence submitted by the committee, or from other available information, that to limit the shipment of potatoes to particular grades, sizes, and qualities thereof in any or all portions of the production area would tend to effectuate the declared policy of the act, he shall so limit by appropriate regulations thereon the shipments of such potatoes during a specified period. The Secretary shall notify the committee of any such regulation and the committee shall give reasonable notice thereof to handlers: *Provided*, That, no regulations shall be issued hereunder limiting the shipment of U. S. No. 1 grade or better, as such grades are defined in United States Standards for Potatoes in effect at the time such regulations are issued.

(d) *Minimum standards of quality*—

(1) *Recommendation*. Whenever the committee deems it advisable to establish and maintain minimum standards of quality governing the shipment of potatoes, it shall recommend to the Secretary such minimum standards of quality

in terms of grades, sizes, or both, below which shipments are to be prohibited. At the time of submitting each such recommendation, the committee shall also submit to the Secretary the supporting data and information upon which it acted in making such recommendation. The committee shall submit in support of its recommendations such other data and information as may be requested by the Secretary, and shall promptly give adequate notice to all handlers and growers of each such recommendation.

(2) *Establishment*. Whenever the Secretary finds, from the recommendations and information submitted by the committee, or from other available information, that to prohibit the shipment of potatoes below certain specified minimum grades, or smaller than certain specified minimum sizes, or both, would be in the public interest and would tend to effectuate the declared policy of the act, he shall so prohibit the shipment of such potatoes. The Secretary shall immediately notify the committee of the issuance of each such regulation, and the committee shall promptly give adequate notice thereof to handlers and growers.

(3) *Modification or suspension*. The committee may recommend to the Secretary the modification, suspension, or termination of orders relating to minimum standards provided for or established pursuant hereto. If the Secretary finds, upon the basis of such recommendation and information, or upon the basis of other available information, that to modify, suspend, or terminate such orders relating to minimum standards of quality will tend to effectuate the declared policy of the act, he shall so modify or suspend such standards for: (i) a specified period of time, or (ii) for an indefinite period of time.

The Secretary shall immediately notify the committee and the committee shall promptly give notice to growers and handlers, of any order issued by the Secretary modifying, suspending, or terminating any orders relating to minimum standards of quality established pursuant hereto or provided for herein.

(e) *Inspection and certification*. The Southeastern Potato Committee shall require, with approval of the Secretary that whenever regulations are in effect pursuant hereto, each first handler shall, prior to making each shipment of potatoes, cause each shipment to be inspected by an authorized representative of the Federal-State Inspection Service. Each handler shall make arrangements with the inspecting agency to forward promptly to the committee a copy of each inspection certificate, issued as aforesaid.

(f) *Exemptions*. (1) The committee may adopt, subject to approval by the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers.

(2) The committee may cause to be issued certificates of exemption to any producer who furnishes adequate evidence to the committee that by reason of a regulation issued pursuant to this section he will be prevented from shipping as large a proportion of his production as the average of all producers in

said producer's district, township, or magisterial district. The committee shall be permitted at any time to make a thorough investigation of any producer's claim pertaining to exemptions. Such certificate shall permit the producer to ship the amount of potatoes specified thereon. Such certificates may be transferred with such potatoes at time of sale.

(3) If any producer is dissatisfied with the determination by the committee with respect to the producer's application for an exemption certificate, said producer may file an appeal with the committee. Such an appeal must be taken promptly after the determination by the committee from which the appeal is taken. Any producer filing an appeal shall furnish evidence satisfactory to the committee, for a determination on the appeal. The committee shall thereupon reconsider the application, examine all available evidence, and make a final determination, concerning the certificate of exemption to be granted. The committee shall notify the appellant of the final determination and shall furnish the Secretary with a copy of the appeal and a statement of considerations involved in making the final determination.

(4) The Secretary shall have the right to modify, change, alter, or rescind any procedure and any exemptions granted pursuant to this section.

(5) Records shall be maintained by the committee and a weekly report furnished to the Secretary showing the applications received, exemptions granted, exemptions denied and shipments made under exemptions.

§ 981.6 Limitation of regulations. Nothing contained herein shall authorize any limitation of the shipment of potatoes for any of the following purposes:

(a) Potatoes shipped for consumption by charitable institutions or for distribution by relief agencies;

(b) Potatoes shipped for manufacturing or conversion into by-products, except for manufacturing or conversion into specified products recommended by the committee for regulation and approved by the Secretary therefor; and

(c) Upon recommendation of the committee and approval of the Secretary, potatoes shipped for livestock feed, export, or for other specified purposes. The Secretary shall give prompt notice to the committee of any approval issued by him under the provisions of this section. The committee may prescribe adequate safeguards to prevent potatoes shipped for the purposes stated above from entering the current of interstate commerce or directly burdening, obstructing, or affecting such commerce contrary to the provisions hereof, which safeguards may include (1) a requirement by the committee that growers and handlers who ship potatoes pursuant to this section shall file applications to do so with the committee and (2) Federal-State inspection provided by § 981.5 (e) and the payment of a pro rata share of expenses provided by § 981.4: *Provided*, That such inspection and payment of expenses may be required at different times than otherwise specified by the aforesaid sections. The committee may issue Certificates of Privilege for shipments of po-

tatoes affected or to be affected under the provisions of this section and shall make a weekly report to the Secretary showing the number of certificates applied for, the number of bushels of potatoes covered by such applications, the number of certificates denied and granted, the number of bushels of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary. The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.

§ 981.7 Reports. Upon the request of the committee, with the approval of the Secretary, every handler shall furnish to the committee, in such manner and at such time as may be prescribed, such information as will enable the committee to exercise its duties hereunder. The Secretary shall have the right to modify, change or rescind requests for any reports pursuant to this section.

§ 981.8 Compliance. Except as provided herein, no handler shall ship potatoes, the shipment of which has been prohibited by the Secretary in accordance with provisions hereof, and no handler shall ship potatoes except in conformity to the provisions hereof.

§ 981.9 Right of the Secretary. The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination, or other act of the committee, shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 981.10 Effective time and termination.—(a) *Effective time.* The provisions hereof shall become effective at such time as the secretary may declare above his signature attached hereto, and shall continue in force until terminated in one of the ways hereinafter specified.

(b) *Termination.* (1) The Secretary may, at any time, terminate the provisions hereof by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(2) The Secretary may terminate or suspend the operations of any or all of the provisions hereof whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(3) The Secretary shall terminate the provisions hereof at the end of any fiscal year whenever he finds that such termination is favored by a majority of producers who, during the preceding fiscal year, have been engaged in the production for market of potatoes: *Provided*, That such majority has, during such year, produced for market more than fifty percent of the volume of such potatoes produced for market; but such termination shall be effected only if an-

nounced on or before October 31 of the then current fiscal year.

(4) The provisions hereof shall, in any event, terminate whenever the provisions of the act authorizing them, cease to be in effect.

(c) *Proceedings after termination.*

(1) Upon the termination of the provisions hereof, the then functioning members of the committee shall continue as trustees, for the purpose of liquidating the affairs of the committee, of all funds and the property then in the possession of, or under control of the committee, including claims for any funds unpaid, or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(2) The said trustees shall continue in such capacity until discharged by the Secretary shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant hereto.

(3) Any person to whom funds, property, or claims have been transferred, or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

§ 981.11 Effect of termination or amendment. Unless otherwise expressly provided by the Secretary, the termination hereof, or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty obligation, or liability which shall have arisen, or which may thereafter arise in connection with any provision hereof, or any regulation issued hereunder, or (b) release or extinguish any violation hereof, or of any regulation issued hereunder, or (c) affect or impair any rights or remedies of the Secretary, or of any other person with respect to any such violation.

§ 981.12 Duration of immunities. The benefits, privileges, and immunities conferred upon any person by virtue hereof shall cease upon the termination hereof, except with respect to acts done under and during the existence hereof.

§ 981.13 Agents. The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

§ 981.14 Derogation. Nothing contained herein is, or shall be construed to be in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 981.15 *Personal liability.* No member or alternate of the committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, or employee, except for acts of dishonesty.

§ 981.16 *Separability.* If any provision hereof is declared invalid, or the applicability thereof to any person, circumstances, or thing is held invalid, the validity of the remainder hereof, or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 981.17 *Amendments.* Amendments hereto may be proposed from time to time by the committee or by the Secretary.

[F. R. Doc. 48-3311; Filed, Apr. 14, 1948; 8:50 a. m.]

17 CFR, Part 9811

HANDLING OF IRISH POTATOES GROWN IN SOUTHEASTERN STATES

ORDER DIRECTING THAT REFERENDUM BE CONDUCTED AMONG PRODUCERS AND DESIGNATING AGENT TO CONDUCT SUCH REFERENDUM; DETERMINATION OF REPRESENTATIVE PERIOD

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.) it is hereby directed that a referendum be conducted among the producers who, during the 1947 crop year (which period for the purposes of such referendum is hereby determined to be (1) the period January 1, 1947 to December 31, 1947), and (2) a representative period) were engaged in the production of Irish potatoes in the Southeastern States production area, to determine whether such producers favor the issuance of an order regulating the handling of Irish potatoes grown in the Southeastern States production area, a copy of which is attached to the decision¹ of the Secretary of Agriculture filed simultaneously herewith; and R. O. Steizer, Chester R. Allender, and J. W. Vogel, or any one or more of them, of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington, D. C., are hereby designated agents of the Secretary of Agriculture to perform the following functions:

(1) Conduct said referendum in accordance with the rules and limitations herein set forth, giving an opportunity to each producer of Irish Potatoes in the Southeastern States production area to cast his ballot relative to the aforesaid proposed order on forms furnished by the Secretary of Agriculture. A cooperative association of such producers, bona fide engaged in marketing such Irish potatoes may vote for the producers who are members of, stockholders in, or under contract with, such cooperative associa-

tion, and the vote of such cooperative association shall be considered as the vote of all such producers.

(2) Determine the time of commencement, duration, and termination of the period of referendum: *Provided*, That the referendum shall be completed prior to May 15, 1948.

(3) Determine the necessary number of polling places, designate and announce such polling places, the area to be served by each polling place, and the hours during which such polling places will be open: *Provided*, That all such polling places shall remain open not less than four (4) daylight hours during each day announced.

(4) In addition to the designation and announcement of polling places, if the said agent or agents determine it advisable (a) conduct meetings of producers and arrange for balloting thereat, in which event such balloting shall continue until all of the producers who are present and desire to do so have an opportunity to vote, and (b) arrange for balloting by mail, in which event the said agents shall designate the place or places to which such ballots shall be mailed and shall give notice of the last date on which such ballots must be placed in the mail.

(5) Give public notice of the time and place of balloting and of each meeting authorized herein (a) by posting a notice thereof at each polling place and at each meeting place, (b) by issuing a press release in newspapers having general circulation in the Irish potato producing districts (as such districts are defined in the aforesaid order) of Southeastern States production area, and (c) by such other means as the said agents may deem advisable.

(6) Appoint any of the employees of the Production and Marketing Administration, in the State of North Carolina or in the State of Virginia, or any of the employees of the County Agricultural Conservation Association in any or all of the counties in the Southeastern States production area, or any other person deemed necessary or desirable, to assist the said agent or agents in carrying out his or their duties hereunder: *Provided*, That any such aforesaid employees and other persons so appointed shall serve without compensation and may be authorized, by the said agent or agents, to perform the following functions in accordance with the rules set forth herein:

(a) Give public notice of the referendum in the manner specified herein.

(b) Preside as a poll officer at a designated polling place.

(c) Distribute ballots to producers and receive such ballots after they are cast.

(d) Secure the name and address of each person casting a ballot, and inquire into the eligibility of each such person to vote.

(e) Forward to the Potato Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. immediately after the close of the referendum, the following: (i) The name and address of each producer who cast a ballot at the polling

place designated for such poll officer and whose ballot was received by such officer; (ii) all of such ballots which were received by the officer, together with his certificate that the ballots forwarded are all of the ballots cast and received during the referendum period at the designated polling place; (iii) a statement showing the time and place the notice of the referendum was posted and, if the notice was mailed to producers, the mailing list showing the names and addresses to which the notice was mailed and the time of such mailing; and (iv) a detailed statement explaining the method used in giving publicity to such a referendum.

(7) Upon receipt by the designated agent or agents of all ballots cast and such other documents as are required pursuant hereto, the ballots shall be canvassed by any one or more of said agents and the results of the referendum with the ballots and other required documents shall be delivered to the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

The Fruit and Vegetable Branch shall prepare and submit to the Secretary a detailed report covering the results of the referendum, the manner in which the referendum was conducted, the extent and kind of public notice given, and all other information pertinent to the full analysis of the referendum and its results.

The designated agents and any appointee pursuant hereto shall not refuse to accept a ballot submitted or cast; but should they, or any of them, deem that a ballot should be challenged for any reason, or if such ballot shall be challenged by any other person, said agent or agents, or appointee shall endorse, above his signature, on the back of said ballot a statement to the effect that such ballot was challenged, by whom challenged, and the reasons therefor; and the number of such challenged ballots shall be stated when they are forwarded as provided herein.

All ballots shall be treated as confidential and the contents thereof shall not be divulged except to (1) the Secretary of Agriculture, (2) his agent or agents designated herein to conduct such referendum, (3) members of the Production and Marketing Administration, United States Department of Agriculture, (4) members of the Office of the Solicitor, United States Department of Agriculture, and (5) such other persons as the Secretary may hereafter designate.

The Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, is hereby authorized to prescribe additional instructions, not inconsistent with the rules and limitations herein set forth, to govern the procedure to be followed by the said agents and appointees in conducting said referendum.

Done at Washington, D. C., this 12th day of April 1948.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-3310; Filed, Apr. 14, 1948; 8:50 a. m.]

¹ See F. R. document 48-3311, *supra*, under Department of Agriculture, Production and Marketing Administration.

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Ch. II]

[Docket No. 8926]

ALLOCATION OF FREQUENCIES BETWEEN 25,000 KILOCYCLES AND 30,000,000 KILOCYCLES

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission's existing table of frequency allocations (Mimeo No. 97274 dated September 17, 1946) allocates the band 9800-10000 Mc to navigation aids.

3. The existing needs of the fixed and radionavigation services appear to warrant the allocation of the band 9800-9900 Mc to the non-Government fixed service.

4. The proposed revision of the table of frequency allocations, shown in Appendix A, hereto, is issued under authority of sections 301, 303 (c) and 303 (r) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed rule should not be adopted or should not be adopted in the form set forth herein, may file with the Commission, on or before May 17, 1948, a written statement or brief setting forth his comments. The Commission will consider all comments that are received before taking final action in the matter, and if any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given interested parties.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: April 7, 1948.

Released: April 8, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

APPENDIX A

Proposed Allocation of Frequency Bands 9800-10000 mc

Band, mc	International Service allocation	United States allocation
9800-10000	(a) Fixed..... (b) Radionavigation.	Fixed: 9800-9900 mc non-Government. 9900-10000 mc Government.

[F. R. Doc. 48-3320; Filed, Apr. 14, 1948; 8:52 a. m.]

[47 CFR, Part 12]

[Docket No. 8918]

AMATEUR RADIO SERVICE

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

No. 74—3

2. The purpose of the proposed rule change, as set forth below is to clarify the provisions of §§ 12.101 and 12.103 of the Commission's rules governing amateur radio service so as to bring general agreement and common understanding as to what types of radio communications or transmissions are authorized or prohibited under the provisions of these sections.

3. The proposed rule change is issued under authority contained in sections 4 (i) 303 (b) (f) (n) and (r) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed rule change should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before May 1, 1948, a written statement or brief setting forth his comments. If any comments are received which appear to warrant the Commission in holding oral argument before final action is taken with respect to the proposed rule change, notice of the time and place of such oral argument will be given to interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules relating to organization and practice and procedure, all persons filing statements or briefs must furnish the Commission with an original and 14 copies of each statement or brief filed.

Adopted: April 7, 1948.

Released: April 8, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

Proposed amendment of Part 12 of the Commission's rules governing Amateur Radio Service by amending §§ 12.101 and 12.103 and adding a new § 12.106 as follows:

1. Amend § 12.101 by deleting the period at the end of the section and adding "and for the purposes set forth in § 12.106 of these rules."

2. Amend § 12.103 to read as follows:

§ 12.103 *Broadcasting prohibited.* Subject to the provisions of § 12.106, "an amateur station shall not be used to engage in any form of broadcasting, that is, the dissemination of radio communications intended to be received by the public directly or by the intermediary of relay stations, nor for the retransmission by automatic means of programs or signals emanating from any class of station other than amateur. This shall not be construed to prohibit the rebroadcast by broadcasting stations pursuant to the rules governing rebroadcast of any communications between amateur stations that are in accordance with the amateur rules, provided that those communications do not include any statements or other material that might indicate that any amateur operator involved is aware that his transmissions are being rebroadcast.

3. Add a new § 12.106 to read as follows:

§ 12.106 *One-way communications.* In addition to the experimental one-way transmissions permitted by § 12.101, the following kinds of one-way communications, addressed to amateur stations, are authorized and will not be construed as broadcasting:

(a) Emergency Communications, including bona-fide emergency drill practice transmissions;

(b) Information bulletins relating exclusively to matters concerning the amateur radio service;

(c) Round-table discussions or net-type operations where more than two amateur stations are in communication, each station taking a turn at transmitting to other station(s) of the group; and

(d) Code practice transmissions intended for persons learning or improving proficiency in the International Morse Code.

[F. R. Doc. 48-3321; Filed, Apr. 14, 1948; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Part 228]

ACCESS TO AIRCRAFT FOR SAFETY PURPOSES; SAFETY INSPECTORS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Civil Aeronautics Board has under consideration the amendment of § 228.3 of the Economic Regulations for the purpose of directing the air carriers to carry without charge safety inspectors of the Board and the Civil Aeronautics Administration assigned to inspect their route facilities, operational procedures, or crew competency.

The provisions of § 228.3 (a) presently only require the carriage of safety inspectors engaged in inspecting the aircraft and aircraft components, although it is equally necessary for such inspectors to fly in the aircraft while inspecting other aspects of carrier operation. In order to obviate any difficulties in the carriage of safety inspectors properly engaged in carrying on their assigned activities it is deemed necessary to amend § 228.3 (a)

The proposed amendment is set forth below.

This amendment is proposed under the authority of section 205 (a) and sections 601 through 610 inclusive, of the Civil Aeronautics Act of 1938, as amended, (Secs. 205 (a) 601-610, 52 Stat. 934, 1007-1012; 49 U. S. C. 425 (a) 551-560).

Interested persons may participate in the proposed rule-making through the submission of written data, views or arguments pertaining thereto, in duplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received on or before May 1, 1948 will be considered by the Board before taking final action on the proposed rule.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

It is proposed to amend § 228.3 (14 CFR 228.3) *Access to aircraft for safety*

purposes, by amending paragraph (a) thereof to read as follows:

(a) *Safety inspectors.* Every carrier shall carry, without charge, on any aircraft which it operates, any duly author-

ized officer or employee of the Board or of the Administrator of Civil Aeronautics who has been assigned to the duty of inspection of air carrier aircraft, their engines, propellers, or appliances, route

facilities, operational procedures, or crew competency, upon proper request by such person.

[F. R. Doc. 48-3331; Filed, Apr. 14, 1948; 8:54 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

AIR-NAVIGATION SITE WITHDRAWAL NO. 171, ENLARGED

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (49 U. S. C. 214) it is ordered as follows:

Subject to valid existing rights, the following-described public lands near Homer, Alaska, are hereby withdrawn from all forms of appropriation under the public land laws, and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, as an addition to Air-Navigation Site Withdrawal No. 171 established December 24, 1941.

SEWARD MERIDIAN

T. 6 S., R. 13 W.,
Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 160 acres.

This withdrawal is made subject to the right of way for the road constructed across the NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20 by the Alaska Road Commission.

It is intended that the public land described herein shall be restored to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

APRIL 5, 1948.

[F. R. Doc. 48-3289; Filed, Apr. 14, 1948; 8:45 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO AIR-NAVIGATION SITE WITHDRAWAL, NO. 171, ENLARGED¹

Notice for filing objections to the following entitled order published simultaneously herewith, Air-Navigation Site Withdrawal No. 171, enlarged.

For a period of 60 days from the date of publication of the above-entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the op-

position is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

APRIL 5, 1948.

[F. R. Doc. 48-3290; Filed, Apr. 14, 1948; 8:46 a. m.]

[Misc. 1959271]

WISCONSIN

NOTICE OF FILING OF PLAT OF SURVEY

APRIL 8, 1948.

Notice is given that the plat of survey of an island in Lake Winnebago which comprises lot 6 containing 0.02 acre in sec. 7, T. 18 N., R. 17 E., Fourth Principal Meridian, Winnebago County, Wisconsin, accepted December 2, 1943, will be officially filed in this Bureau effective at 10:00 a. m. on June 10, 1948.

The land represented by this plat is in the six-mile primary limits of the odd-section grant made to the State by the act of June 3, 1856 (11 Stat. 20) for the benefit of the Chicago, St. Paul and Fond du Lac Railroad Company, succeeded to by the Chicago and Northwestern Railway Company. The release by the railway company of all further land grant claims was approved by the Department of the Interior on November 25, 1940 under section 321b, Part II, Title III of the Transportation Act of 1940 (54 Stat. 898, 954; 49 U. S. C. 65) and the regulations of October 10, 1940, Circular No. 1480.

Legislation is now pending governing the administration and disposal of the above-described land and other similar land released by the railroad land grant carriers.

Upon the official filing of this plat, the land therein will not be subject to disposition under the public-land laws until final action is taken on the pending legislation.

All inquiries relating to this land should be addressed to the Director, Bureau of Land Management, Washington 25, D. C.

THOS. C. HAVELL,
Assistant Director

[F. R. Doc. 48-3292; Filed, Apr. 14, 1948; 8:46 a. m.]

[Misc. 31584]

CALIFORNIA

CLASSIFICATION ORDER

APRIL 7, 1948.

1. Pursuant to the authority delegated to me by the Secretary of the Interior by Order No. 2325 dated May 24, 1947 (43 CFR 4.275 (b) (3) 12 F. R. 3568), I hereby classify under the small tract act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. Sup. 682a) as hereinafter indicated, the following described public lands in the Los Angeles, California, land district, embracing 640 acres:

SMALL TRACT CLASSIFICATION No. 146

CALIFORNIA NO. 57

For Leasing and Sale for All of the Purposes Mentioned in the Act Except Business Sites

T. 1 N., R. 5 E., S. B. M.
Sec. 14, all.

2. These lands are located along the western edge of the Mojave Desert and on the foothills of the San Bernardino Mountains, in San Bernardino County, California. They are immediately north of the Morongo Valley, and are a short distance west of the Twentynine Palms area where considerable small tract development has occurred.

3. Pursuant to § 257.9 of the Code of Federal Regulations (43 CFR Part 257, Circ. 1647, May 27, 1947, and Circ. 1685, November 19, 1947) a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 3:00 p. m. on March 24, 1948, and (b) are for the type of site for which the land subject thereunder has been classified. As to such applications, this order shall become effective upon the date on which it is signed.

4. As to the land not covered by the applications referred to in paragraph 3, this order shall not become effective to permit the leasing of such land under the small tract act of June 1, 1938, cited above, until 10:00 a. m. on June 9, 1948. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection, as follows:

(a) *Ninety-day period for other preference-right filings.* For a period of 90 days from 10:00 a. m. on June 9, 1948, to close of business on September 8, 1948, inclusive, to (1) application under the small tract act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747) as amended May 31, 1947 (61 Stat. 123, 43 U. S. C. Sup. 279), and by other qualified,

¹ See F. R. document 48-3289, *supra*.

persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference-right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed at 3:00 p. m. on March 24, 1948, or thereafter, up to and including 10:00 a. m. on June 9, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public land laws.* Commencing at 10:00 a. m. on September 9, 1948, any of the land remaining unappropriated shall become subject to application under the small tract act by the public generally.

(d) *Advance period for simultaneous non-preference-right filings.* Applications under the small tract act by the general public filed at 3:00 p. m. on March 24, 1948, or thereafter, up to and including 10:00 a. m. on September 9, 1948, shall be treated as simultaneously filed.

5. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Other persons entitled to credit for service shall file evidence of their right to credit in accordance with 43 CFR 181.36 (Circ. 1588). Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications referred to in paragraphs 3 and 4, which shall be filed in the district office at Los Angeles, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254) to the extent that such regulations are applicable. Applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Lessees under the small tract act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances are presentable, substantial, and appropriate for the use for which the lease is issued. Leases will be for a period of 5 years at an annual rental of \$5, payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause, application for which may be filed at or after the expiration of one year from the date the lease is issued.

8. All of the lands will be leased in tracts of approximately 5 acres, each

being approximately 330 by 660 feet, the longer dimension extending north and south. The tracts, whenever possible, must conform in description with the rectangular system of surveys as one compact unit; i. e., the E $\frac{1}{2}$ or the W $\frac{1}{2}$ of a quarter-quarter-section.

9. Preference right leases referred to in paragraph 3 will be issued for the land described in the application, irrespective of the direction of the tract, provided the tract conforms or is made to conform to the area and dimensions specified above.

10. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, the Acting Manager is authorized to accept applications for the remaining 5-acre tract extending in the same direction so as to fill out the subdivision, notwithstanding the direction of the tract may be contrary to that specified in paragraph 8.

11. All inquiries relating to these lands shall be addressed to the Acting Manager, District Land Office, Los Angeles 12, California.

THOS. C. HAVELL,
Assistant Director.

[F. R. Doc. 48-3291; Filed, Apr. 14, 1948;
9:00 a. m.]

Bureau of Reclamation

[No. 27]

RIVERTON IRRIGATION PROJECT, WYOMING

NOTICE OF ANNUAL WATER RENTAL CHARGES

MARCH 22, 1948.

1. *Water rental.* Irrigation water, when available, will be furnished upon a rental basis under approved applications for temporary water service during the irrigation seasons of 1948 and 1949 to those lands in private ownership and to those public lands opened under the orders "opening public land to entry" dated March 3, 1926, November 9, 1926, March 23, 1931, May 2, 1932, January 31, 1933, October 30, 1939, and July 10, 1947, against which lands assessments for water rental were not levied by the Midvale Irrigation District for the year in which the water is to be used.

2. *Charges and terms of payment.* The minimum water rental charge for the irrigation seasons of 1948 and 1949 will be as follows:

For public lands entered under orders "opening public land to entry" as described in paragraph 1, \$1.50 per irrigable acre, which charge shall be payable whether water is used or not;

For lands described in paragraph 1 other than public lands, for which water rental application is made, \$3.00 per irrigable acre (of which \$1.50 per acre will be applied to the construction account), payment of which will entitle the applicant to not more than 2 acre-feet of water per irrigable acre per annum. Payment of the minimum charge shall be made for the entire irrigable area of each public land farm unit; and for the entire irrigable area of each 40-acre subdivision of private land for which application is made. The minimum charge shall be payable in advance on or before May 1 of each year, and no part of such charge

shall be refunded. Additional water, if available will be furnished during the irrigation season at the rate of \$0.50 for the third acre-foot per acre and at the rate of \$0.75 per acre-foot for all additional water above that amount, payable on December 1 of the year in which such additional water is delivered. When the initial water rental application for any tract of land is submitted and approved after June 15 of any year for said public land and after August 1 of any year for lands in private ownership, the minimum charge payment shall apply as a credit on the minimum charge for the following irrigation season.

3. *Penalty for non-payment.* If payment of the minimum charge is not made on or before May 1 of each year in the case of public lands, and payment for additional water furnished to any lands is not made on or before December 1 of the year in which such additional water is delivered, there shall be added to the amount unpaid a penalty of $\frac{1}{2}$ per cent thereof on the first day of the third calendar month after such due date, and there shall be added a like penalty of $\frac{1}{2}$ per cent on the first day of each month thereafter so long as such default shall continue, and no water shall be delivered to the owner or entryman in subsequent years until all charges and penalties have been paid in full.

4. All applications for water service and payments under this notice shall be made to the Bureau of Reclamation, Riverton, Wyoming.

(Act of June 17, 1902, 32 Stat. 383, as amended, or supplemented)

GEO. O. PRATT,
Acting Regional Director.

[F. R. Doc. 48-3237; Filed, Apr. 14, 1948;
9:00 a. m.]

[No. 39]

NOTUS AND FAYETTE DIVISIONS; BOISE PROJECT, IDAHO

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

MARCH 9, 1948.

1. Announcement is hereby made that water will be furnished during the irrigation season of 1948 (April to October, both inclusive), and thereafter until further notice, for the irrigation of project lands hereinafter described, upon a water rental basis at rates and upon terms following:

(a) For the 300 acres of land, or any part thereof, referred to in article 24 of the contract of October 3, 1927, between the United States and the Black Canyon Irrigation District and being in the Notus division of the Boise project the minimum water rental charge for the irrigation season of 1948 and for each irrigation season thereafter until further notice, for water delivered to or for the farms by Government forces, will be six hundred and thirty dollars (\$630) per irrigation season, which amount will permit the delivery of not to exceed 900 acre-feet of water. Such amount will be payable by the District in advance of the delivery of water. Additional water for

the said part of the Notus division will be furnished during each irrigation season at the rate of ninety cents (\$0.90) per acre-foot, and shall be payable by the District to the United States on or before December 31st of each year. Water for these lands of the Notus division will be delivered and measured into the Notus Canal through feeders in Conway Gulch and near Sand Hollow.

(b) For lands served by gravity canals in the Payette division of the Boise project the minimum rental charge for the irrigation season of 1948 and for each season thereafter until further notice, for water delivered to or for the farms by Government forces, will be two dollars and ten cents (\$2.10) per irrigable acre, payable by all landowners to the district and by the District to the United States in advance of the delivery of water, said payment to be made by each landowner for his total irrigable area. The said minimum charge of two dollars and ten cents (\$2.10) per irrigable acre shall be payable whether water is used or not and will entitle the water user to three (3) acre-feet of water per irrigable acre for each irrigation season. Additional water will be furnished during each irrigation season at the rate of ninety cents (\$0.90) per acre-foot, and shall be payable by each landowner to the Black Canyon Irrigation District on or before December 20th of each year. Charges for such excess water shall be payable by the District to the United States on or before December 31st of each year. The minimum charge on account of lands which do not receive water during a given irrigation season under this notice shall be payable by the District to the United States on or before December 31 of the year for which the charge is made, and the District shall make the necessary assessments therefor against the lands involved.

(c) For the rental of water during the irrigation season of 1948 and for each season thereafter until further notice, for new lands under the pump system of the second unit of the Black Canyon Irrigation District, where the progress of canal and lateral construction will permit the delivery of water, there will be a minimum charge of two dollars and ten cents (\$2.10) per acre of land irrigated, payable by the District in advance of the delivery of water, upon a minimum acreage of ten (10) acres, except on individual ownerships of less than ten (10) acres, payment for which shall be upon the total acreage of such ownership. Payment up to the total acreage in any ownership may be made by the District, in advance of the delivery of water, in multiples of ten (10) acres. For payment of water rentals as outlined above, a maximum of three (3) acre-feet of water per acre will be furnished. Ninety cents (\$0.90) per acre-foot will be charged for any water furnished to any tract or farm unit in said pump unit in excess of three (3) acre-feet per acre, advance payment for which has been made as above specified. Amount charged for such excess water will be payable by each individual landowner to the Black Canyon Irrigation District on or before December 20th of each year. Charges for such excess water shall be payable by the District to

the United States on or before December 31st of each year.

2. Water for Payette division lands will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

3. If the charges or any part thereof are not paid on or before the due date, there shall be added on the following day a penalty of one-half of one per centum of the amount unpaid, and a like penalty of one-half of one per centum of the amount unpaid on the first day of each calendar month thereafter, so long as such default shall continue.

4. Individual landowners in the Payette division will make their applications for water and the payments required by this public notice direct to their irrigation district office. Applications by the Irrigation District for water and payments by the District to the United States on the basis of this public notice will be received at the office of the Bureau of Reclamation, 214 Broadway, Boise, Idaho.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

R. J. NEWELL,
Regional Director.

[F. R. Doc. 48-3286; Filed, Apr. 14, 1948;
9:00 a. m.]

[No. 60]

YUMA IRRIGATION PROJECT, ARIZONA-CALIFORNIA

PUBLIC NOTICE OF ANNUAL WATER CHARGES MARCH 9, 1948.

1. *Annual operation and maintenance charges for lands under public notice, Reservation Division.* The minimum operation and maintenance charge for the calendar year 1948, and thereafter until further notice, against all lands of the Reservation Division under public notice shall be \$6.00 per irrigable acre, whether water is used or not, payment of which will entitle the water user to 5 acre-feet of water per acre on certain sandy areas shown on the list attached to public notices No. 31 dated April 14, 1931, No. 40 dated March 1, 1935, No. 43 dated February 17, 1936, No. 47 dated March 5, 1937, and No. 49 dated March 28, 1938, and to 4 acre-feet of water per acre on all other lands of the division. Additional water, if available, will be furnished at the rate of \$1.50 per acre-foot. Where in the opinion of the Project Superintendent it may be done without interference with other project requirements, upon written request filed in advance by the water users, water will be furnished free of charge for reclaiming lands by the removal of alkali either by growing rice or similar crops or by the usual leaching methods, and water in excess of the minimum amount herein provided, which is to be used for the purpose of growing fertilizer crops of no commercial value or which is to be used for the purpose of depositing silt upon the land, shall be furnished free of charge. All lands for which free water was served during the preceding year will not again be served free water until evidence satisfactory to the Project Su-

perintendent has been made that the water so granted free of charge during the preceding year was applied to the land in sufficient quantities over a period of not less than 3 months, in which event water shall again be served free of charge provided the results accomplished during the preceding irrigation season were not satisfactory. All operation and maintenance charges shall be due and payable on March 1 of each year for the preceding irrigation season.

2. *Annual water rental charges for other lands, Reservation Division.* Lands not under public notice that can be irrigated from the present distribution system without further construction expense by the Bureau may secure irrigation water under water rental contracts at a rate of \$6.00 per irrigable acre, which charge will permit the delivery of 4 acre-feet of water per acre, and additional water will be delivered at the rate of \$1.50 per acre-foot. All charges due under water rental contracts are payable in advance of the delivery of water. The minimum charge as specified shall be paid before any water is delivered during the current or subsequent seasons and all additional or excess water over the minimum of 4 acre-feet shall be paid for when ordered and prior to delivery. Refund will be made for excess water paid for but not used.

3. *Annual water rental charge for lands in the Valley Division not under public notice.* Lands in the Valley Division not under public notice which can be irrigated from the present distribution system without further construction expense by the United States may secure irrigation water under water rental contracts at a rate of \$9.50 per irrigable acre, which charge will permit the delivery of 4 acre-feet per acre. Additional water furnished will be charged for at the rate of \$1.50 per acre-foot, payable in advance of delivery. All town lots that can be served under the present system may secure water under annual water rental contracts at the rate of \$5.00 a lot and \$2.00 for each additional lot in the same township, considering the maximum lot to be not over sixty (60) feet in width. All payments under water rental contracts are due and payable in advance of the delivery of water.

4. *Place of payment.* All payments should be made to the Agent-Cashier, Yuma Project, Bureau of Reclamation, Bin 111, Yuma, Arizona.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

E. A. MORITZ,
Regional Director

[F. R. Doc. 48-3288; Filed, Apr. 14, 1948;
9:00 a. m.]

FEDERAL POWER COMMISSION

[Project Nos. 1269, 1273]

PHILIPSBURG, MONT. AND PAROWAN CITY,
UTAH

NOTICE OF ORDERS GRANTING EXEMPTION
FROM PAYMENT OF ANNUAL CHARGES

APRIL 9, 1948.

Notice is hereby given that, on April 8, 1948, the Federal Power Commission is-

sued its orders entered April 6, 1948, granting exemption from payment of annual charges in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3285; Filed, Apr. 14, 1948;
8:45 a. m.]

[Docket Nos. G-987, G-1002]

UNITED GAS PIPE LINE CO. AND SOUTHERN
NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER PERMITTING
AND APPROVING ABANDONMENT OF FACILI-
TIES AND ISSUING CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY

APRIL 9, 1948.

Notice is hereby given that, on April 8, 1948, the Federal Power Commission issued its findings and order entered April 8, 1948, in the above-designated matters, permitting and approving abandonment of facilities in Docket No. G-987 and issuing certificate of public convenience and necessity in Docket No. C-1002.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3284; Filed, Apr. 14, 1948;
8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Amdt. 8 to Special Directive 25]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 25 (12 F. R. 8389; 13 F. R. 301, 407) under Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 25, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof:

(1) To furnish to the mines listed below cars for the loading of The Central Railroad Company of New Jersey fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine:	Cars for April 1948
Katherine & Pepper.....	75
Linda.....	35
Cliff.....	30
Elk Hill.....	25
Roberta.....	25
Keeley Construction Co.....	15
Henshaw.....	10
Riley.....	30
McCandlish.....	15
Galloway Nos. 2 and 3.....	50
Keeley-Gulotto.....	15

A copy of this amendment shall be served upon The Baltimore and Ohio Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-3313; Filed, Apr. 14, 1948;
8:48 a. m.]

[S. O. 790, Amdt. 2 to Special Directive 23]
MONONGAHELA RAILWAY CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 28 (12 F. R. 8389) under Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 28, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof.

(1) To furnish during April 1948, to the Federal #3 mine sixty cars for the loading of The Central Railroad Company of New Jersey fuel coal from its total available supply of cars suitable for the transportation of coal.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-3314; Filed, Apr. 14, 1948;
8:43 a. m.]

[S. O. 790, Amdt. 3 to Special Directive 23]
WESTERN MARYLAND RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 29 (12 F. R. 8389; 13 F. R. 102) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 29, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof:

(1) To furnish during April 1948, to the Swamp Run mine twenty cars for the loading of Central Railroad Company of New Jersey fuel coal from its total available supply of cars suitable for the transportation of coal.

A copy of this amendment shall be served upon the Western Maryland Railroad Company and notice of this amend-

ment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-3315; Filed, Apr. 14, 1948;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1040]

AMERICAN TELEPHONE AND TELEGRAPH CO.

FINDINGS AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of April A. D. 1948.

The San Francisco Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Ten-Year 2¾% Convertible Debentures, due December 15, 1957, of American Telephone and Telegraph Company.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is listed and registered on the Boston Stock Exchange, Chicago Stock Exchange, New York Stock Exchange, Philadelphia Stock Exchange, and Washington Stock Exchange; that the geographical area deemed to constitute the vicinity of the San Francisco Stock Exchange for the purpose of this application is the State of California; that \$357,532,600 principal amount of this security is now outstanding; that \$1,939,400 principal amount of this security is owned by 533 debentureholders in the vicinity of the San Francisco Stock Exchange; and that in the vicinity of the San Francisco Stock Exchange there were effected 95 transactions involving \$1,400,100 principal amount of this security during the month of December 1947;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly, *It is ordered,* Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application-

of the San Francisco Stock Exchange for permission to extend unlisted trading privileges to the Ten-Year 2¾% Convertible Debentures, due December 15, 1957, of American Telephone and Telegraph Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3299; Filed, Apr. 14, 1948;
8:47 a. m.]

[File Nos. 70-1689, 70-1733]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE
AND NEW ENGLAND PUBLIC SERVICE CO.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of April A. D. 1948.

On March 10, 1948, we issued our findings, opinion and order exempting from the requirements of section 6 (a) of the Public Utility Holding Company Act of 1935, pursuant to the third sentence of section 6 (b) thereof, the issue and sale by Public Service Company of New Hampshire (New Hampshire) of 199,627 shares of its common stock, \$10 par value, and granting and permitting to become effective applications and declarations filed in connection therewith by New England Public Service Company (NEPSCO) and Northern New England Company (Northern) both registered holding companies and statutory parents of New Hampshire. Our order reserved jurisdiction, however, with respect to the price to be paid for the stock and the subscription warrants, the underwriters' commissions and the allocation thereof and all fees and expenses relating to said issuance and sale. We further granted New Hampshire's application for exemption from the competitive bidding requirements of Rule U-50.

Subsequent to the issuance of our findings, opinion and order and after discussions with underwriters, New Hampshire determined that it could more advantageously consummate its financing program if it were to make certain changes in the transactions previously authorized. The company has filed an amendment in which it proposes to issue, in lieu of 199,627 shares of common stock, 139,739 shares of like par value. It further proposes that the preemptive right to subscribe for shares of common stock will be at the public offering price rather than at the price to the company. The amendment further provides that NEPSCO and Northern will waive their preemptive rights in lieu of disposing of their rights as previously proposed.

A further hearing upon the modified proposals was held on April 8, 1948. The record indicates that applications have been filed with the New Hampshire Public Service Commission and the Vermont Public Service Commission for requisite approval of the modified proposals.

We have reviewed and reconsidered the entire record as supplemented by additional testimony taken at the hearing of

April 8, 1948 and are of the opinion that our order of March 10, 1948 should be amended to provide for the proposed reduction in the number of shares to be issued, the revised terms of the preemptive offering, and the said waiver of preemptive rights by NEPSCO and Northern, but should in all other respects remain in full force and effect, including the reservation of jurisdiction with respect to the price to be paid for the stock, underwriters' commissions and the allocation thereof, and all fees and expenses relating to the said issue and sale of common stock; and

It is so ordered, Provided, however, That this order shall become null, void and of no effect if the New Hampshire Public Service Commission and the Vermont Public Service Commission, shall not have approved such of the foregoing transactions as require their approval.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3300; Filed, Apr. 14, 1948;
8:48 a. m.]

[File No. 70-1755]

OKLAHOMA GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of April 1948.

The Commission having issued its findings and opinion and order on March 19, 1948, granting and permitting to become effective an application-declaration filed by Oklahoma Gas and Electric Company regarding, among other things, the proposed issuance and sale of 65,000 shares of Cumulative Preferred Stock --% Series, \$100 par value, ("New Preferred Stock") pursuant to the competitive bidding provisions of Rule U-50 promulgated under the Public Utility Holding Company Act of 1935; and

The Commission's order having provided that the sale shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record and a further order entered with respect thereto; and

Oklahoma Gas and Electric Company having filed an amendment to its application-declaration requesting an exemption from the provisions of Rule U-50 and having set forth the terms of a contract with Harriman Ripley & Co., Inc. for the sale of said new preferred stock; and

It appearing appropriate to the Commission to grant the requested exemption from Rule U-50 and to grant and to permit to become effective the application-declaration, as amended;

It is ordered, That the application for exemption from competitive bidding be granted and that the application-declaration, as amended, with respect to the issuance and sale by Oklahoma Gas and Electric Company of its new preferred stock be, and it hereby is, granted and permitted to become effective forthwith,

subject to the terms and conditions prescribed by Rule U-24, and subject further to the condition that the proposed issuance and sale not be consummated until appropriate orders from the Corporation Commission of the State of Oklahoma and the Public Service Commission of the State of Arkansas have been secured.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3293; Filed, Apr. 14, 1948;
8:46 a. m.]

[File No. 70-1781]

GULF POWER CO.

NOTICE OF FILING AND REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 9th day of April 1948.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Gulf Power Company ("Gulf") a public utility subsidiary of The Southern Company, a registered holding company and a wholly-owned subsidiary of The Commonwealth & Southern Corporation, a registered holding company. The declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 19, 1948 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 19, 1948, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Gulf proposes to issue and sell an aggregate of \$1,000,000 principal amount of new First Mortgage Bonds to be dated as of April 1, 1948 and to mature in 30 years. The bonds are to be issued under and secured by Gulf's present mortgage, dated September 1, 1941 as supplemented by indentures dated April 1, 1944 and to be dated as of April 1, 1948. The bonds will be sold at private sale to four institutional investors at 99½% of the principal amount and accrued interest to the date of delivery. The bonds will bear interest at the rate of 3½% per annum.

Gulf further proposes to issue approximately \$1,750,000 principal amount of First Mortgage Bonds pursuant to its present mortgage indenture as supplemented by an indenture dated April 1, 1944 and to deposit such bonds with the Trustee for cancellation for the purpose of taking down the cash which will be deposited with the Trustee upon the contemplated sale of its gas properties in Pensacola, Florida and environs to the City of Pensacola.

The declaration states that Gulf will use the proceeds from the contemplated sale of its gas utility properties (estimated at \$1,900,000 including closing adjustments) plus the proceeds from the proposed sale of the new bonds to provide a portion of funds required for the construction or acquisition of permanent improvements, extensions and additions to its property, to reimburse its treasury in part for expenditures made for such purposes and to pay notes (evidencing moneys borrowed for such purposes) in the aggregate principal amount of \$197,000. The company contemplates expenditures for property additions during the years 1948 and 1949 in the amount of approximately \$6,700,000 and it is estimated that approximately \$2,000,000 of its cash requirements will have to be provided from the sale, before the end of 1949, of additional securities, of a type not yet determined.

Gulf has requested that the Commission's order permitting said declaration to become effective be issued as soon as possible and become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3301; Filed, Apr. 14, 1948;
8:48 a. m.]

[File No. 31-417]

CONSOLIDATED ELECTRIC AND GAS CO.
ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 8th day of April A. D. 1948.

The Commission having heretofore on February 2, 1939, after notice and opportunity for hearing, ordered, pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935, that The Islands Gas and Electric Company, Compagnie d'Eclairage Electrique des Villes de Port-au-Prince et du Cap Haitien, Compania Electrica de Santo Domingo, C. por A., Union Electrica de Canarias, S. A., Manila Gas Corporation, Gas y Electricidad, S. A., and Porto Rico Gas & Coke Company be exempt, to the extent specified, until December 31, 1940 from certain provisions of the Act applicable to them as subsidiary companies of Consolidated Electric and Gas Company ("Consolidated") a registered holding company;

The Commission upon subsequent applications of Consolidated having by orders dated December 27, 1940, April 25, 1941, July 31, 1941, July 26, 1943 and

August 14, 1944 extended the period of the exemption, and having in the said order dated July 26, 1943 modified the terms of said exemption to the extent specified therein;

Consolidated having now filed an application seeking a further extension of the exemption; and

The Commission having considered the application and it appearing that a further extension of the period of exemption, upon the conditions hereinafter indicated, will not be detrimental to the public interest or the interest of investors or consumers;

It is ordered, That the time during which such order of exemption shall be effective be, and the same hereby is, extended until such time as the Commission, by further order shall, after opportunity for hearing, revoke said exemption, the exemption to be to the extent and subject to the conditions heretofore designated in our order herein of July 31, 1941, as modified by our order of July 26, 1943, without prejudice to the right of Consolidated to apply at any time for such enlargement of any provision of this order as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3302; Filed, Apr. 14, 1948;
8:48 a. m.]

NATIONAL ASSOCIATION OF SECURITIES
DEALERS, INC.

NOTICE OF TIME FOR FILING WRITTEN
REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 8th day of April 1948.

The National Association of Securities Dealers, Inc., a registered securities association (hereinafter referred to as the Association), has filed with this Commission, on behalf of a member firm, an application for approval of the firm's continuance in membership in the Association pursuant to the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934.

Among other things, the above application states that:

1. H. L. Brocksmith is presently employed by a member firm, a member of the Association in District No. 7, having its principal office in St. Louis, Missouri.
2. In 1942 and prior thereto H. L. Brocksmith was a vice-president of H. L. Ruppert & Company, Inc. which at that time was a member of the Association with offices in St. Louis, Missouri in District No. 7.

3. By order of the Securities and Exchange Commission, issued on February 5, 1942, in the matter of H. L. Ruppert & Company, Inc., the firm of H. L. Ruppert & Company, Inc. was expelled from membership in the Association and its registration as a broker-dealer was revoked.

4. The District Committee for District No. 7 and the Board of Governors of the Association have reviewed the opinion

in the proceedings resulting in such order of expulsion and revocation, have considered the subsequent activity of H. L. Brocksmith and his general reputation in the business community, believe that he should be permitted to engage in the securities business as an employee and registered representative of said member firm, that said member firm should be continued in membership in the Association, and have concluded that the continuance of said member firm in membership in the Association with H. L. Brocksmith as an employee and registered representative thereof would be consonant with the stated purposes and policies of section 15A of that act, and recommend that the Commission approve the continuance of said member firm in membership in the Association.

Under the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934, as amended, and section 2 of article I of the Association's by-laws, said member firm may not be continued in membership in the Association so long as H. L. Brocksmith is employed by said member firm, except with the approval of the Securities and Exchange Commission based upon a finding that such approval is appropriate in the public interest.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with Thomas B. Hart, Regional Administrator of the Commission's Chicago Regional Office, Bankers Building, 105 West Adams Street, Chicago 3, Illinois, on or before May 10, 1948, and that within the same time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect, together with a brief statement of the nature of his interest in the proceeding and the position which he proposes to take. In the absence of such a request by any person having a bona fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice or, if it should appear appropriate to do so, will grant the application on the basis of the record and without formal hearing.

This notice shall be served on said member firm and the Association not less than fifteen (15) days prior to May 10, 1948 and published in the FEDERAL REGISTER in the manner prescribed by the Federal Register Act not later than fifteen (15) days prior to May 10, 1948.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3234; Filed, Apr. 14, 1948;
8:46 a. m.]

NATIONAL ASSOCIATION OF SECURITIES
DEALERS, INC.

NOTICE OF TIME FOR FILING WRITTEN
REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 8th day of April 1948.

The National Association of Securities Dealers, Inc., a registered securities association (hereinafter referred to as the Association), has filed with this Commission, on behalf of a member firm, an application for approval of the firm's continuance in membership in the Association pursuant to the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934.

Among other things, the above application states that:

1. George M. Peterson is presently employed by a firm which is a member of the Association in District No. 7, having its principal office in St. Louis, Missouri.

2. In 1942 and prior thereto George M. Peterson was vice president of Polk-Peterson Corporation which at that time was a member of the Association with offices in Des Moines, Iowa, in District No. 8.

3. By order of the Securities and Exchange Commission, issued on February 6, 1942, in the matter of Polk-Peterson Corporation, the firm of Polk-Peterson Corporation was expelled from membership in the Association and its registration as a broker-dealer was revoked.

4. The District Committee for District No. 7 and the Board of Governors of the Association have reviewed the opinion in the proceedings resulting in such order of expulsion and revocation, have considered the subsequent activity of George M. Peterson and his general reputation in the business community, believe that he should be permitted to engage in the securities business as an employee and registered representative of said member firm, that said member firm should be continued in membership in the Association, and have concluded that the continuance of said member firm in membership in the Association with George M. Peterson as an employee and registered representative thereof would be consonant with the stated purposes and policies of section 15A of the act, and recommend that the Commission approve the continuance of said member firm in membership in the Association.

Under the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934 and section 2 of article I of the Association's by-laws, said member firm may not be continued in membership in the Association so long as George M. Peterson is employed by said member firm, except with the approval of the Securities and Exchange Commission based upon a finding that such approval is appropriate in the public interest.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with Thomas B. Hart, Regional Administrator of the Commission's Chicago Regional Office, Bankers Building, 105 West Adams Street, Chicago 3, Illinois, on or before May 10, 1948, and that within the same time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect, together with a brief statement of the nature of his interest in the proceeding and the position which he proposes to take. In the absence of such a request by any person having a bona

fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice or, if it should appear appropriate to do so, will grant the application on the basis of the record and without formal hearing.

This notice shall be served on said member firm and the Association not less than fifteen (15) days prior to May 10, 1948, and published in the FEDERAL REGISTER in the manner prescribed by the Federal Register Act not later than fifteen (15) days prior to May 10, 1948.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3295; Filed, Apr. 14, 1948;
8:47 a. m.]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

NOTICE OF TIME FOR FILING WRITTEN REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 8th day of April 1948.

The National Association of Securities Dealers, Inc., a registered securities association (hereinafter referred to as the Association) has filed with this Commission, on behalf of a member firm, an application for approval of the firm's continuance in membership in the Association, pursuant to the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934.

Among other things, the above application states that:

A. William L. Johnsen is presently employed by a member firm, a member of the Association in District No. 8, having its principal office in Chicago, Illinois.

B. In 1947 and prior thereto, William L. Johnsen was president of Behel, Johnsen & Company, Inc. which at that time was a member of the Association with offices in Chicago in District No. 8.

C. By order of the Securities and Exchange Commission, issued on June 24, 1947, in the matter of Behel, Johnsen & Company, Inc., the firm of Behel, Johnsen & Company, Inc., was expelled from membership in the Association and its registration as a broker-dealer was revoked.

D. The District Committee for District No. 8 and the Board of Governors of the Association have reviewed the opinion in the proceedings resulting in such order of expulsion and revocation, have considered the subsequent activity of William L. Johnsen and his general reputation in the business community, believe that he should be permitted to engage in the securities business as an employee and registered representative of said member firm, that said member firm should be continued in membership in the Association, and have concluded that the continuance of said member firm in membership in the Association with William L. Johnsen as employee and registered representative thereof would be consonant with the stated purposes and

policies of section 15A of the act, and recommend that the Commission approve the continuance of said member firm in membership in the Association.

Under the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934, as amended, and section 2 of article I of the Association's by-laws, said member firm may not be continued in membership in the Association so long as William L. Johnsen is employed by said company, except with the approval of the Securities and Exchange Commission based upon a finding that such approval is appropriate in the public interest.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with Thomas B. Hart, Regional Administrator of the Commission's Chicago Regional Office, Room 630, Bankers Building, 105 West Adams Street, Chicago 3, Illinois, on or before May 10, 1948, and that within the same time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect, together with a brief statement of the nature of his interest in the proceeding and the position which he proposes to take. In the absence of such a request by any person having a bona fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice or, if it should appear appropriate to do so, will grant the application on the basis of the record and without formal hearing.

This notice shall be served on said member firm and the Association not less than fifteen (15) days prior to May 10, 1948, and published in the FEDERAL REGISTER in the manner prescribed by the Federal Register Act not later than fifteen (15) days prior to May 10, 1948.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3296; Filed, Apr. 14, 1948;
8:47 a. m.]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

NOTICE OF TIME FOR FILING WRITTEN REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 8th day of April 1948.

The National Association of Securities Dealers, Inc., a registered securities association (hereinafter referred to as the Association) has filed with this Commission, on behalf of a member firm, an application for approval of the firm's continuance in membership in the Association, pursuant to the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934.

Among other things, the above application states that:

A. Messrs. H. L. Ruppert and Joseph H. Lynch are presently employed by a member firm, a member of the Association in District No. 7, having its principal office in St. Louis, Missouri.

B. In 1942 and prior thereto, Messrs. H. L. Ruppert and Joseph H. Lynch were respectively President and Vice-President of H. L. Ruppert & Company, Inc., which at that time was a member of the Association with offices in St. Louis, Missouri, in District No. 7.

C. By order of the Securities and Exchange Commission, issued on February 5, 1942, in the matter of H. L. Ruppert & Company, Inc., the firm of H. L. Ruppert and Company, Inc., was expelled from membership in the Association and its registration as a broker-dealer was revoked.

D. The District Committee for District No. 7 and the Board of Governors of the Association have reviewed the opinion in the proceedings resulting in such order of expulsion and revocation, have considered the subsequent activity of Messrs. Ruppert and Lynch and their general reputation in the business community, believe that they should be permitted to engage in the securities business as employees and registered representatives of said member firm, that said member firm should be continued in membership in the Association, and have concluded that the continuance of said member firm in membership in the Association with Messrs. Ruppert and Lynch as employees and registered representatives thereof would be consonant with the stated purposes and policies of section 15A of the act, and recommend that the Commission approve the continuance of said member firm in membership in the Association.

Under the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934, as amended, and section 2 of article I of the Association's by-laws, said member firm may not be continued in membership in the Association so long as H. L. Ruppert and Joseph H. Lynch are employed by said company, except with the approval of the Securities and Exchange Commission based upon a finding that such approval is appropriate in the public interest.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with Thomas B. Hart, Regional Administrator of the Commission's Chicago Regional Office, Room 630, Bankers Building, 105 West Adams Street, Chicago 3, Illinois, on or before May 10, 1948, and that within the same time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect, together with a brief statement of the nature of his interest in the proceeding and the position which he proposes to take. In the absence of such a request by any person having a bona fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice or, if it should appear appropriate to do so, will grant the application on the basis of the record and without formal hearing.

This notice shall be served on said member firm and the Association not less than fifteen (15) days prior to May 10, 1948, and published in the FEDERAL REGISTER in the manner prescribed by

the Federal Register Act not later than fifteen (15) days prior to May 10, 1948.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3297; Filed, Apr. 14, 1948;
8:47 a. m.]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

NOTICE OF TIME FOR FILING WRITTEN REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 8th day of April 1948.

The National Association of Securities Dealers, Inc., a registered securities association (hereinafter referred to as the Association) has filed with this Commission, on behalf of a member firm, an application for approval of the firm's continuance in membership in the Association pursuant to the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934.

Among other things, the above application states that:

1. Joseph Loeb is presently employed by a firm which is a member of the Association in District No. 13, having its principal office in New York, New York.

2. In 1939 and prior thereto Joseph Loeb was a partner of Loeb, Newman & Co.

3. By order dated April 14, 1939, the Securities and Exchange Commission revoked on the consent of Loeb, Newman & Co. its registration as a broker-dealer.

4. The District Committee for District No. 13 and the Board of Governors of the Association have reviewed the opinion in the proceedings resulting in such order of revocation, have considered the subsequent activity of Joseph Loeb and his general reputation in the business community, believe that he should be permitted to engage in the securities business as an employee and registered representative of said member firm, that said member firm should be continued in membership in the Association, and have concluded that the continuance of said member firm in membership with Joseph Loeb as an employee and registered representative thereof would be consonant with the stated purposes and policies of section 15A of that act, and recommend that the Commission approve the continuance of said member firm in membership in the Association.

Under the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934 and section 2 of article I of the Association's by-laws, said member firm may not be continued in membership in the Association so long as Joseph Loeb is employed by said member firm, except with the approval of the Securities and Exchange Commission based upon a finding that such approval is appropriate in the public interest.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with Peter T. Byrne, Regional Administrator of the

Commission's New York Regional Office, Equitable Building, 120 Broadway, New York 5, New York, on or before May 10, 1948, and that within the same time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect, together with a brief statement of the nature of his interest in the proceeding and the position which he proposes to take. In the absence of such a request by any person having a bona fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice or, if it should appear appropriate to do so, will grant the application on the basis of the record and without formal hearing.

This notice shall be served on said member firm and the Association not less than fifteen (15) days prior to May 10, 1948 and published in the FEDERAL REGISTER in the manner prescribed by the Federal Register Act not later than fifteen (15) days prior to May 10, 1948.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3233; Filed, Apr. 14, 1948;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 59 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9557, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10337]

MINA S. BODAMERE-GAUS

In re: Estate of Mina S. Bodamere-Gaus a/k/a Mina S. Gaus, a/k/a Mina De Bodamere, deceased. File No. D-28-11037; E. T. sec. 15484.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Brachold, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Mina S. Bodamere-Gaus a/k/a Mina S. Gaus, a/k/a Mina De Bodamere, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany).

3. That such property is in the process of administration by Otto Brachold, as executor, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States

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requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification; having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3323; Filed, Apr. 14, 1948;
8:52 a. m.]

[Vesting Order 10938]

ERICH BREITENFELD ET AL

In re: Erich Breitenfeld, complainant, vs. Waldermar Breitenfeld et al., defendants. File D-28-12045; E. T. sec. 16234.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz Breitenfeld, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "Erich Breitenfeld, Complainant, vs. Waldermar Breitenfeld, et al, Defendants" in the Court of Chancery of New Jersey, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by the Clerk of Court of Chancery of New Jersey, Depositary, acting under the judicial supervision of the Court of Chancery of New Jersey

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise

dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3282; Filed, Apr. 13, 1948;
8:48 a. m.]

[Vesting Order 10952]

EDMUND STARKE, JR.

In re: Estate of Edmund Starke, Jr., deceased. File D-66-2302; E. T. sec. 15012.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hertha Schmidt, also known as Hertha Starke, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Edmund Starke, Jr., deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Anita Starke, as Administratrix, acting under the judicial supervision of the Probate Court of Wayne County, Michigan;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof, is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3278; Filed, Apr. 13, 1948;
8:48 a. m.]

[Vesting Order 10959]

MARTIN LECHNER

In re: Stock owned by Martin Lechner. F-28-25086-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martin Lechner, whose last known address is Kuhlbach Bayern, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Twenty-five shares of no par value common stock of Simmons Company, 230 Park Avenue, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered 132633, registered in the name of Martin Lechner, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3324; Filed, Apr. 14, 1948;
8:52 a. m.]

[Vesting Order 10967]

ULRICH SCHRECKER ET AL.

In re: Stock, rights and a warrant owned by Ulrich Schrecker, Rolf Schrecker, Wilhelm Schrecker and Vera Schrecker. F-28-23511-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193 as amended and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ulrich Schrecker Rolf Schrecker, Wilhelm Schrecker and Vera Schrecker, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. Fifty-four (54) shares of no par value common capital stock of United Fruit Company, 1 Federal Street, Boston, Massachusetts, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered H0191288, registered in the name of Wilhelm Schrecker, and presently in the custody of Rudolph Correll, 26 Ferry Street, New York 7, New York, in a safe deposit box numbered 56-205, in the Mercantile Branch of The Chase National Bank of the City of New York, 115 Broadway, New York, New York, together with all declared and unpaid dividends thereon,

b. One (1) Scrip Certificate for $\frac{5}{8}$ ths of a share of capital stock of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, bearing the number S19376, dated February 15, 1947, registered in the name of Wilhelm Schrecker, and presently in the custody of Rudolph Correll, 26 Ferry Street, New York 7, New York, together with all declared and unpaid dividends thereon, and all rights in and under the aforesaid certificate.

c. Eighty-seven (87) rights issued by the American Telephone & Telegraph Co., 195 Broadway, New York, New York, expiring August 29, 1941, and evidenced by two certificates numbered 866-550 for 80 rights and 866-551 for 7 rights, presently in the custody of Rudolph Correll, 26 Ferry Street, New York 7, New York, in a safe deposit box numbered 56-205 in the Mercantile Branch of The Chase National Bank of the City of New York, 115 Broadway, New York, New York, and

d. One (1) Reynolds Tobacco Co. Warrant, representing the right to purchase one share of the Reynolds Tobacco Co. preferred stock, expiring July 21, 1945, and evidenced by a certificate numbered RW 36269 presently in the custody of Rudolph Correll, 26 Ferry Street, New York 7, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ulrich Schrecker, Rolf Schrecker, Wilhelm Schrecker and Vera Schrecker, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used,

administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3260; Filed Apr. 13, 1948; 8:48 a. m.]

[Vesting Order 10376]

GERHARD BECKER

In re: Trust under the will of Gerhard Becker, deceased. File No. F-28-13412; E. T. sec. 2571.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Allie (Ellie) Troeger, Charlotte Schaefer and Gerhard Becker (son of Gerhard F. Becker, deceased) whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Gerhard Becker (son of Gerhard F. Becker, deceased) who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trusts established under the will of Gerhard Becker, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by First Wisconsin Trust Company, Trustee, acting under the judicial supervision of the Milwaukee County Court, State of Wisconsin,

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Gerhard Becker (son of Gerhard F. Becker, deceased), are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3273; Filed, Apr. 13, 1948; 8:43 a. m.]

[Vesting Order 10381]

PETER FOLKERS

In re: Estate of Peter Folkers, deceased. File No. D-28-11993; E. T. sec. 16173.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Edith Meyer, Walter Folkers, Hanne-Lore Folkers, Reemt Folkers and Charlotte Buss, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof in and to the Estate of Peter Folkers, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Ben H. Brown, as administrator, acting under the judicial supervision of the Superior Court of the State of California, County of Los Angeles;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3325; Filed, Apr. 14, 1948; 8:53 a. m.]

[Vesting Order 10382, Amdt.]

WILLIAM C. F. HELM

In re: Bank account, bonds and stock owned by William C. F. Helm, also known as Wilhelm Carl Friedrich Helm.

Vesting Order 10382, dated December 19, 1947, is hereby amended as follows and not otherwise:

1. By deleting from Exhibit B attached to and by reference made a part of the aforesaid Vesting Order 10382, the certificate number A185308 set forth with respect to twenty (20) shares of no par value common stock of Southern Railway Company, McPherson Square, Washington 13, D. C., and substituting therefor the certificate number 185398, and

2. By deleting from Exhibit B attached to and by reference made a part of the aforesaid Vesting Order 10382, the certificate numbers TNYC068965 for twenty (20) shares and TNYC29500 for one hundred (100) shares of no par value common stock of General Mills, Inc., 200 Chamber of Commerce Building, Minneapolis 15, Minnesota, and substituting therefor the certificate numbers NYC-073123 and NYC36472 respectively.

All other provisions of said Vesting Order 10382 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3329; Filed, Apr. 14, 1948; 8:53 a. m.]

NAKAKICHI ABO ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof the following property, located in the Treasury of the United States, Washington, D. C., subject to any increase or decrease resulting from the administration of such property prior to return and after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Nakakichi Abo, c/o Saito Store, Wai-pahu, Oahu, T. H.	8955	\$550.87
Mr. Rihachi Aimoto, 3118 Monsarrat Ave., Honolulu, T. H.	8956	55.69
Mr. Usbi Akamine, 3021 East Manoa Rd., Honolulu, T. H.	8957	3.55
Mr. Teichi Eki, 631 South King St., Honolulu, T. H.	8961	1.83
Mr. Hiroshi Fujioke, Post Office Box Y, Wai'alua, Oahu, T. H.	8963	134.69
Mr. Ryutaro Fujioke or Hiroshi Fujioke, Post Office Box Y, Wai'alua, Oahu, T. H.	8964	5,130.11
Mr. Tsutomu Fujioke, Post Office Box Y, Wai'alua, Oahu, T. H.	8965	305.63
Mr. Yoshino Fukumoto, 1014 Kemole Lane, Honolulu 27, T. H.	8968	176.31

Claimant	Claim No.	Property
Mrs. Kimi Go, 355 Kapalea Pl., Honolulu, T. H.	8969	\$118.80
Gillich Harada, trustee for Yoshisada Harada, 1252 Palolo Ave., Honolulu, T. H.	8971	102.52
Mr. Makoto Harada or Fukue Harada, 555 North King St., Honolulu, T. H.	8972	810.22
Mrs. Sui Hishinuma, guardian of Mr. Sumiaki Hishinuma, Post Office Box 38, Ewa, Oahu, T. H.	8977	108.63
Mr. Rikitaro Ikawa and Matsui Ikawa, Kahuku, Oahu, T. H.	8980	860.04
Mr. Kiku Imai, Aiea, Oahu, T. H.	8981	605.97
Mr. Shika Imai, 1205 Palamea Lane, Honolulu, T. H.	8982	60.35
Mr. Tama Ishida, 1736 Algaroba St., Honolulu, T. H.	8985	126.64
Mr. Tatsunosuke Ishida, 1736 Algaroba St., Honolulu, T. H.	8986	224.04
Neju Ishigami, guardian of Mr. Yoshiko Ishigami, 1291 South King St., Honolulu, T. H.	8987	152.22
Gochi Ishiguro (son), Gochemon Ishiguro (father), Sue Ishiguro (mother), W. A. Co., Ltd., Camp Mill 10, House 6, Wai'alua, Oahu, T. H.	8988	414.81
Kazuo Ishigami, guardian of Isao Ishigami, 1291 South King St., Honolulu, T. H.	8989	1,228.84
Mr. Yogi Ito, Wahiawa, Oahu, T. H.	8991	6.72
Mr. Seietsu Ito, 1733 Young St., Honolulu, T. H.	8992	1,697.57
Mr. Seietsu Ito, trustee for Fumiko Ito, 1733 Young St., Honolulu, T. H.	8993	19.34
Natsu Jinbo, 67 South Pauahi St., Honolulu, T. H.	8994	5,956.44
Mrs. Natsu Jinbo, guardian of Ryoko Jinbo, 67 South Pauahi St., Honolulu, T. H.	8995	166.12
Genjiro Jinbo, 67 South Pauahi St., Honolulu, T. H.	8996	576.79
Mr. Seiro Kaneshiro, 2881-D East Manoa Rd., Honolulu, T. H.	8998	160.51
Mr. Tokutaro Katayama, 1746 Kamehameha IV Rd., Honolulu, T. H.	9002	88.85
Mrs. Ai Kawakami, Post Office Box 261, Ewa, Oahu, T. H.	9003	306.00
Mr. Gochi Kawamura, guardian of Harumi Kawamura, 753 Pohukana St., Honolulu, T. H.	9005	57.52
Mr. Gochi Kawamura, guardian of Masayoshi Kawamura, 753 Pohukana St., Honolulu, T. H.	9006	57.59
Mr. Konoshin Kimura or Kiku Kimura (wife), 810 Kopke St., Honolulu 38, T. H.	9008	2,018.00
Mr. Tosaku Kinoshita, 3224 Castle St., Honolulu, T. H.	9009	261.35
Fuki Kobayashi, 1202-A Mao Lane, Honolulu, T. H.	9011	383.78
Mr. Tetsutaro Kozumi, 1444 East Elm St., Honolulu, T. H.	9012	34.41
Mr. Taka Komeya, guardian of Kikuko Komeya, 1145 River St., Honolulu, T. H.	9013	60.64
Mr. Taka Komeya, guardian of Shizuko Komeya, 1145 River St., Honolulu, T. H.	9014	183.85
Mr. Zenzo Koshigae, 1555 Kauluwela Lane, Honolulu, T. H.	9015	300.97
Mr. Chozuchi Kumamoto, 1934 Lusitana St., Honolulu, T. H.	9017	61.40
Mr. Kiyoko Kuroda or Bunsaku Kuroda, 205 Huali St., Honolulu, T. H.	9018	106.56
Mr. Chiyono Kurosami, 1904 Aupuni St., Honolulu, T. H.	9019	258.64
Mr. Hatsu Kusatani, 759 Pumehana St., Honolulu, T. H.	9020	256.01
Mr. Tetsuo Kusatani, 759 Pumehana St., Honolulu, T. H.	9021	140.77
Mr. Kiichi Kuwahara or Tamayo Kuwahara, 1789 South King St., Honolulu, T. H.	9022	14.32
Mr. Kenkichi Maekawa, guardian of Kazuo Maekawa, Kaneohe, Oahu, T. H.	9023	103.48
Mr. Shizuno Masuda, 1328 7th Ave., Honolulu, T. H.	9024	39.90
Mr. Unta Matayoshi, trustee for Fumiko Matayoshi, 933 Coolidge St., Honolulu, T. H.	9025	10.39
Mr. Unta Matayoshi, trustee for Seikichi Matayoshi, 933 Coolidge St., Honolulu, T. H.	9026	23.34
Mr. S. Matsuyama, guardian of Sachiko Matsuyama, 1423 Liliha St., Honolulu, T. H.	9027	531.18
Mr. Katsunosuke Minagawa or Masaru Minagawa, Post Office Box 477, Wai'alua, Oahu, T. H.	9028	76.85
Mr. Masachichi Miura, trustee for Shigeko Sueoka, 1631 Fort St., Honolulu 52, T. H.	9032	443.50
Mr. Unta Matayoshi, trustee for Tsuneo Matayoshi, 933 Coolidge St., Honolulu, T. H.	9033	20.52

Claimant	Claim No.	Property
Mr. Itsuzo Matsuda and Toyo Matsuda, P. O. Box 221, Wai'alua, Oahu, T. H.	9034	\$1,017.41
Mr. Juro Matsui, 3111 Brokaw St., Honolulu 50, T. H.	9035	893.69
Mr. Shigeru Matsusaka, trustee for Noboru Matsusaka, 615 East South Beretania St., Honolulu, T. H.	9036	76.02
Mr. Tokuzo Matsura or Miko Matsura, Kahuka, Oahu, T. H.	9037	1,010.00
Mr. Tsuneki Matsumoto or Toshio Matsumoto, 1312-B Home Lane, Honolulu, T. H.	9038	830.78
Mr. S. Matsuyama, 1423 Liliha St., Honolulu, T. H.	9039	3,638.25
Mr. S. Matsuyama, trustee for Eugene Seichi Matsuyama, 1423 Liliha St., Honolulu, T. H.	9040	230.12
M. Miura, 1631 Fort St., Honolulu, 52, T. H.	9042	2,794.46
Tomio Miyamoto, guardian of Iwao Miyamoto, 1114 Desha Lane, Honolulu, T. H.	9043	407.30
Mr. Sosei Miyasato, Post Office Box 450, Wai'alua, Oahu, Hawaii.	9044	25.60
Mr. Kenichi Miyata, 395 North King St., Honolulu, T. H.	9046	76.61
Mr. Toshiko Mori, guardian of Arthur Y. Mori, 821 Pumehana St., Honolulu, T. H.	9047	1,065.79
Mr. Akiyo Morinaga, Kaunakakai, Molokai, T. H.	9048	78.01
Mr. Akiyuro Morinaka (deceased) or Yoshi Morinaka, Wai'alua, Oahu 20, T. H.	9049	482.65
Mr. Genjiro Jinbo, dba Morishiro Book Store, 67 South Pauahi St., Honolulu, T. H.	9050	363.87
Mr. Shigeru Murata, 4216 Wai'alae Rd., Honolulu 53, T. H.	9051	8.40
Mr. Aichi Nakamoto, 1722-A Kamehameha IV Rd., Honolulu 10, T. H.	9052	638.31
Mr. Aichi Nakamoto or Matsuo Nakamoto, 1722-A Kamehameha IV Rd., Honolulu 10, T. H.	9053	1,035.89
Mr. Torajiro Nakamura, Post Office Box 602, Kahuku, Oahu, T. H.	9054	2,637.00
Mr. Hanao Nakano or Sadamu Nakano, 1371 Davis Lane, Honolulu 22, T. H.	9055	110.03
Mr. Kashihiro Nakasato, 3740 Leahi Ave., Honolulu, T. H.	9056	821.39
Mr. Kaneyo Nomura, trustee for Takashi Nomura, 609 Lukepano Ave., Honolulu, T. H.	9059	55.01
Miss Take Nomura, 1260 Matlock Ave., Honolulu, T. H.	9062	670.39
Mr. Masao Okabayashi, 3221 Moheau Ave., Honolulu 40, T. H.	9063	300.17
Mr. Mine Okamoto or Shinichi Okamoto, 1626 Evelyn St., Honolulu 33, T. H.	9064	233.67
Mr. Kenji Okada, Post Office Box 893, Honolulu, T. H.	9065	105.60
Mr. H. Okamura, 3389 Campbell Ave., Honolulu, T. H.	9066	3,070.81
Mr. Shohel Okinaga, 914 A Hausten St., Honolulu, T. H.	9068	630.25
Mr. Josuke Okubo or K. Mitsutani (formerly K. Okubo), 904-E Kahoka Lane, Honolulu 46, T. H.	9069	71.60
Mr. Hatsumi Osumi, 3348 Catherine St., Honolulu, T. H.	9071	20.27
Mr. Nakano Oya, 1917 Hani Lane, Honolulu, T. H.	9074	744.13
Mr. Ichiro Sakai, 1627 Pawalo Lane, Honolulu, T. H.	9076	101.60
Yoshie Saito and Eisaku Saito, 1237-A Palama St., Honolulu, T. H.	9077	60.75
Masuzo Sakai, Hecla, Oahu, T. H.	9078	137.00
S. Sakai, contractor, 2014 Pauoa Rd., Honolulu, T. H.	9079	1,039.60
Sakichi Sakai, 2014 Pauoa Rd., Honolulu, T. H.	9080	2,046.39
Chisato Sakumoto, 273 North Beretania St., Honolulu 8, T. H.	9081	14.23
Mr. Elzo O. Sakumoto and Toyo Sakumoto and Hanayo Shimodono, d/b/a Sakumoto Photo Supply Co., 273 North Beretania St., Honolulu, 8, T. H.	9082	3,142.37
Hideo Santoki, trustee for Eiko Santoki, Aiea, Oahu, T. H.	9083	123.19
Yoshiko Sasaki or Jitsuo Sasaki, Aiea, Oahu, T. H.	9084	612.71

Executed at Washington, D. C., on April 8, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-3330; Filed, Apr. 14, 1948; 8:53 a. m.]